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VOL. III. 1715–1920

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VOL. III. 1715–1920

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GENERAL PREFACE

THE editor and publishers of this series have been most fortunate in obtaining the collaboration of Mr. H. Butterfield as editor of this, the concluding, volume. Mr. Butterfield has included a number of letters and dispatches, admirably chosen for the purpose of elucidating the development of European politics and the characters of some of the chief actors therein.

The number, selection and presentation of the documents are governed by the purpose which the editors have in view. It is hoped that the volumes may be of use in schools and colleges as providing illustrations of outline courses on European history, and as some encouragement to young students to go to the sources of history for themselves. They are not intended to be in any degree substitutes for narrative works or for oral teaching on the historical setting and importance of the events with which the documents are concerned. Consequently the introductions and notes are generally confined to such matter as will explain only the immediate circumstances in which the documents were composed or to a small amount of explanation of proper names, technical terms, etc. Since they deal with the outlines of history, the documents are mainly formal documents concerned with the main events and movements of political history, although some illustrations of social developments and contemporary thought are also given. Documents of foreign origin are presented in English translations, because I am informed that this is a regrettable necessity of the present time.

R. G. D. LAFFAN

PREFACE

It has been the aim of this selection to include in the first place as many as possible of the important documents, like the Pragmatic Sanction of Charles VI and the Declaration of the Rights of Man, of which all students of European history will have read in their ordinary textbooks; and to give them in as complete and continuous form as space would allow. Secondly, documents have been added to show at first hand the kind of thinking which underlies policy, the character of the reasoning by which decisions are reached and expedients are arrived at. Of these, Chavigny's criticism of the Pragmatic Sanction and Kaunitz's arguments for a Diplomatic Revolution, are examples. Thirdly, on those occasions when a large body of documents is of importance, an attempt has been made to indicate the purport of these, by taking a particular example, which, if examined in detail, will convey something of the character of the whole. A case in point is the sample of the *Cahiers* of 1789; another is the group of important clauses from the legislation of the *Kulturkampf*. In addition to the documents which have been chosen on these principles, certain pieces of a more miscellaneous character have been added—a poster or proclamation, an extract from contemporary memoirs or literature—to throw light on social history, or to give a glimpse of some great personality, or to illustrate certain types of propagandist argument.

The selection and arrangement have been conditioned by the necessity of combining these documents into chapters that cover well-marked sections of the European story, and by the desire to show important statesmen, like

Frederick the Great, Metternich, or Bismarck, defending themselves or expounding their policy. The work has been made difficult by the length of many of the most momentous documents, and particularly by the number and the size of the important treaties. In dealing with the longer treaties I have chosen to include, in as complete a form as possible, one illustrative section of the whole, such as will give the reader an idea of the way in which the provisions of a treaty are worked out in the document itself. In the case of the Treaty of Paris of 1763, I have reproduced the entire clause by which Canada was handed over to England, giving the detail of the conditions and the manner of the transference, instead of offering a summary of the whole document, for which the reader can consult an ordinary text-book. In the case of the Treaty of Tilsit I have reproduced the articles which relate to the formation of the Maritime League against England—the famous secret articles. Similarly I have illustrated the work of the Congress of Vienna by printing the important clauses of the treaty which reconstituted Germany, and have attempted to give some idea of the particular arrangements by which the Congress of Berlin dealt with the problem of Bulgaria. The intention has been to show what the general statements in the text-books really look like when they are seen in concrete detail in the documents themselves. It does not need to be noted that in a book of this scope and purpose it would be impossible to reproduce in their entirety the territorial clauses of modern treaties.

In those cases where, under *Source*, reference is made to an existing translation of a foreign document, the allusion identifies the translation which I have actually reproduced. In other cases the translation is my own.

My grateful thanks are due to the Rev. R. G. D. Laffan, the General Editor of this series, for much assistance and many suggestions, and for his patience and charm as an Editor.

September, 1931 H. B.

CONTENTS

PAGE

GENERAL PREFACE v
PREFACE vii
LIST OF BOOKS FROM WHICH SOURCES ARE QUOTED . xiii

I. THE WAR OF THE AUSTRIAN SUCCESSION

1. THE PRAGMATIC SANCTION OF 1713 1
2. OBJECTIONS TO THE PRAGMATIC SANCTION . . . 4
3. CARDINAL FLEURY'S PEACE POLICY. 1740. . . 6
4. FREDERICK THE GREAT'S INVASION OF SILESIA. 1740 8
5. THE ELECTION OF A BAVARIAN EMPEROR. 1742 . 10
6. THE TREATY OF AIX-LA-CHAPELLE. 1748 . . . 11

II. THE DIPLOMATIC REVOLUTION

7. THE PROPOSALS OF KAUNITZ. 1749 14
8. THE STRAINING OF THE ANGLO-AUSTRIAN ALLIANCE. 1755 16
9. FREDERICK THE GREAT'S OPINION OF FRANCE. 1755 . 17
10. ANGLO-RUSSIAN SUBSIDY TREATY. 1755 . . . 18
11. THE CONVENTION OF WESTMINSTER. 1756. . . 20
12. THE FRENCH TREATIES WITH AUSTRIA. 1756:
    (*a*) Convention of Neutrality 22
    (*b*) Treaty of Defensive Alliance 23

III. THE SEVEN YEARS' WAR

13. TREATY OF ALLIANCE BETWEEN AUSTRIA AND RUSSIA. 1746 25
14. FREDERICK THE GREAT'S ULTIMATUM TO AUSTRIA. 1756 26
15. THE BATTLE OF KUNERSDORF. 1759 . . . 28
16. THE TREATY OF PARIS. 1763 29
17. THE TREATY OF HUBERTUSBURG. 1763 . . . 30

IV. THE PARTITION OF POLAND

PAGE

18. The Diplomacy of Frederick the Great. 1771 . 32
19. The Austro-Russian Treaty of Dismemberment. 1772 33
20. Reply of the King of Poland to the Partitioning Powers. 17 Sept. 1772 35
21. Regrets of Maria Theresa for the Partition . 37
22. Final Partition of Poland. 1795 38

V. THE BENEVOLENT DESPOTS

23. Frederick the Great 40
24. The Relations between Maria Theresa and Joseph II 42
25. The *Fürstenbund*. 1785 43
26. Joseph II on the Growth of Revolutionary Principles. 1787 45
27. Catherine II :
(*a*) Portrait of Catherine 47
(*b*) Catherine II and the French Revolution. 1793 50

VI. FRANCE

28. The Encyclopædia. 1752 52
29. The *Philosophes* 53
30. Louis XV and the *Parlements*. 1770 . . 54
31. The Policy of Turgot. 1774 57
32. The Family Compact. 1761 59

VII. THE FRENCH REVOLUTION

33. *Cahier* of the Third Estate of the Town of Orleans. 1789 63
34. The Tennis-Court Oath. 1789 67
35. The Declaration of the Rights of Man. 1789 . 67
36. The Civil Constitution of the Clergy. 1790 . 70
37. The Duke of Brunswick's Manifesto. 1792 . . 71
38. The Edict of Fraternity. 1792 74
39. The Committee of Public Safety. 1793 . . 75

VIII. THE NAPOLEONIC AGE

40. Proclamation to the Army of Egypt. 1798 . . 77
41. Napoleon and the Church. 1801 :
(*a*) The Concordat 78
(*b*) The Organic Articles 80
42. The Third Coalition. 1805 81
43. The Confederation of the Rhine. 1806 . . 85
44. The Decree of Berlin. 1806 87
45. The Treaty of Tilsit. 7 July 1807 . . . 89
46. Napoleon in Moscow. 1812 91

IX. RESTORATION AND REACTION

PAGE

47. The French Constitutional Charter of 1814 . 93
48. The Congress of Vienna. 1815. Federal Constitution of Germany 95
49. The Second Treaty of Paris. 1815 . . . 97
50. The Holy Alliance. 1815 99
51. The Quadruple Alliance. 1815 101
52. The Assassination of Kotzebue. 1819 . . . 102
53. The Congress of Troppau. 1820 104
54. Metternich's Confession of Political Faith. 1820 106
55. The Monroe Doctrine. 1823 107

X. THE REVOLUTIONS OF 1830

56. The Ordinances of Charles X. 1830:
(*a*) Ordinance suspending Freedom of the Press . 111
(*b*) Ordinance revising the Electoral Law . . 112
(*c*) Ordinance dissolving the Chamber of Deputies . 113
57. The Accession of Louis Philippe:
(*a*) Poster of 30 July 1830 114
(*b*) Louis Philippe's Apology 115
58. The Separation of Belgium from Holland:
(*a*) Address of the Provisional Government . . 116
(*b*) The Neutrality of Belgium 118
59. The Polish Revolution 119
60. Palmerston and the Abolition of the Polish Constitution:
(*a*) Article I of the Treaty of Vienna . . . 122
(*b*) Palmerston's Interpretation 122

XI. THE REVOLUTIONS OF 1848

61. The Proclamation of the French Republic. 1848 125
62. The Right to Work. 1848 126
63. The Circular of Lamartine. 1848 . . . 126
64. The Rejection of the Crown of Germany by the King of Prussia. 1849 128
65. The Hungarian Declaration of Independence. 1849 130
66. Russia and the Hungarian Revolution. 1849 . 131

XII. ITALY AND THE PAPACY

67. Mazzini and Young Italy 134
68. The Preliminaries of Villafranca. 1859 . . 137
69. Cavour on Garibaldi 138
70. The Syllabus. 1864 141
71. The Vatican Council. 1869–70 144
72. The Law of Guarantees. 1871 145

XIII. NAPOLEON III

PAGE

73. *LES IDÉES NAPOLÉONIENNES.* 1839 147
74. LOUIS NAPOLEON AND THE REVOLUTION OF 1848 . 149
75. SPEECH BY THIERS AGAINST NAPOLEON III'S FOREIGN POLICY. 1867 150
76. FRANCO-PRUSSIAN RELATIONS AFTER THE TREATY OF PRAGUE 153
77. THE LIBERAL EMPIRE. 1870 155

XIV. BISMARCK

78. THE CONVENTION OF GASTEIN. 1865 . . . 158
79. THE TREATY OF PRAGUE. 1866 159
80. BISMARCK ON GERMAN UNIFICATION. 1870 . . 161
81. THE EMS TELEGRAM. 1870 163
82. THE PRELIMINARY TREATY OF VERSAILLES. 1871 . 165
83. THE *KULTURKAMPF* 166

XV. THE EASTERN QUESTION

84. THE CAPITULATIONS OF 1740 169
85. THE TREATY OF KUTCHUK-KAINARDJI. 1774 . . 172
86. CATHERINE THE GREAT'S ORIENTAL SCHEME . . 174
87. THE BATTLE OF NAVARINO. 1827 175
88. THE TREATY OF PARIS. 1856 177
89. THE ANDRÁSSY NOTE. 1875 179
90. ENGLAND AND THE TREATY OF SAN STEFANO. 1878 . 182
91. THE TREATY OF BERLIN. 1878 185

XVI. THE GREAT WAR

92. THE TRIPLE ALLIANCE. 1882 188
93. THE *ENTENTE CORDIALE* 189
94. THE AUSTRIAN ULTIMATUM TO SERBIA. 1914 . . 191
95. PRESIDENT WILSON'S FOURTEEN POINTS . . . 193
96. THE COVENANT OF THE LEAGUE OF NATIONS. 1919 . 196

LIST OF BOOKS FROM WHICH SOURCES ARE QUOTED

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SELECT DOCUMENTS OF EUROPEAN HISTORY

I

THE WAR OF THE AUSTRIAN SUCCESSION

1. THE PRAGMATIC SANCTION OF 1713

The Pragmatic Sanction is a form that belongs to Roman law, and it is found in modern times in various countries that received Roman law. It is a royal edict, implying despotic power, and it was used, for example, when a monarch wished to decree something which was of public importance but which at the same time concerned the direction of his own family. It would be the form used for such a purpose as the regulation of the right of succession in the family. The Emperor Charles VI issued his famous Pragmatic Sanction on the 19th of April 1713 in order to provide for the eventuality of the failure of male heirs; and his aim was particularly to ensure that the Habsburg dominions should not be divided after his death, and also to make it clear that the rights of his own daughters were prior to those which might be possessed or transmitted by the daughters of previous Emperors. As his reign proceeded and no male heir appeared, it became Charles's purpose to secure the acceptance of this Pragmatic Sanction by the Empire and its guarantee by foreign Powers; and this is one of the things which greatly weakened Charles's foreign policy and his diplomatic position; for, to secure his desire, he was often compelled to give a quid pro quo. *The ultimate failure of his precautionary policy, in spite of the guarantees he had collected, is revealed by the War of the Pragmatic Sanction.*

SOURCE—Wenck, Vol. I, pp. 123–31.

H.I.M. called all the Privy Councillors who were in Vienna to a meeting in the usual place at 10 a.m. on the 19th of April 1713. At the prescribed time the Emperor went into the Council Chamber and placed himself under the canopy at the usual table; then he had his Councillors and Ministers of State summoned and they entered in order

1

of rank and each went to his own place ; namely, Prince Eugene of Savoy, etc. . . .

When all the said Councillors and Ministers of State were thus assembled, H.I.M. declared that his motive for calling them was to inform them that certain arrangements, rules and pacts dealing with the succession had been drawn up, between his father the late Emperor, his late brother Joseph, then King of the Romans, and himself, at that time King-designate of Spain ; and these had been confirmed by all parties on oath in the presence of different Councillors and Ministers of the Emperor ; but as few of the said Councillors and Ministers were now alive, H.I.M. had considered it necessary not only to make this declaration to those present but also to inform them of the said laws and pacts and have the documents read to them.

Immediately after this H.I.M. ordered his Court-Chancellor Count von Seilern to read the said documents.

And the said Count read in a loud and audible voice the opening of the original instrument which the Emperor, as King of Spain, signed and sealed when he accepted the Spanish throne. Then he read from beginning to end all the acts of succession signed and sealed by the Emperor Leopold and the King of the Romans, respectively, together with the notary's certificate attached. Then he read the rest of the Spanish instrument, containing the agreement and engagement which the present Emperor had then made, with the notary's certificate similarly attached, which acts are dated Vienna, 12 Sept. 1703.

When this had been done, H.I.M. said further to the above-mentioned Councillors and Ministers, that the acts which had just been read made it clear that there existed an arrangement and a mutual pact concerning the succession, and that this was drawn up for all perpetuity and confirmed upon oath as between the Josephine and Caroline branches of the family. Consequently, apart from the hereditary kingdoms and provinces of Spain which were ceded to him by the Emperor Leopold and the Emperor Joseph of glorious memory, the death of the said Emperor his brother

without male heirs had placed H.I.M. in possession of all the other kingdoms and hereditary possessions. These were to be kept in their entirety, without any kind of division, being possessed according to the law of primogeniture by the male heirs of a lawful marriage so long as any were alive ; but were to pass in the same way to his daughters by lawful marriage, if there were a default of masculine posterity on his part (from which may God preserve him). In all this the order and law of primogeniture were always to be maintained.

Further, failing any legitimate descendants, either male or female, to H.I.M., the said right of succession to all the said hereditary kingdoms and possessions, without division, would pass in the above-mentioned way—always keeping the order of primogeniture—to the daughters of the Emperor Joseph and to their legitimate descendants; and similarly the said Archduchesses would enjoy all the other privileges and prerogatives, according to the said law and ordering of the succession.

This being the case, after the Caroline branch now reigning, and after the Josephine branch consisting of the daughters left behind by the Emperor Joseph, the said rights of succession with everything depending thereto shall belong, and shall remain, and shall be in every way reserved to the sisters of H.I.M. and all the other lines of the Archducal House, according to the law of primogeniture and in the order which that law determines.

The law and these regulations and pacts concerning the succession were established for all perpetuity and confirmed by the oath of the Emperors, the father and brother of H.I.M., as well as by his said Imperial Majesty himself, and as they had no other object but the glory of God and the keeping together of all the hereditary possessions without partition, H.I.M. firmly adhered to them and counted upon the said Councillors and Ministers doing the same ; he exhorted them and ordered them to observe everything in these pacts and regulations with as much care and attention as he, and also to see that others

observe them and maintain them; and for this reason H.I.M. excused the said Councillors and Ministers from their vow of secrecy in this case. After which H.I.M. and they the Councillors and Ministers retired.

I certify that everything took place as I have stated it above; and in witness of this I have signed the present act and put my seal to it.

GEORGE FREDERICK VON SCHICKH.

Vienna. 19 April 1713.

2. OBJECTIONS TO THE PRAGMATIC SANCTION

Charles VI claimed that in his Pragmatic Sanction he was interpreting old law rather than creating new; but his claim might be open to challenge from those people whose interests were touched by his edict. Also it might be questioned by any enemy of the Habsburgs. These might allege, for example, that the varied provinces composing the Habsburg inheritance had different laws of succession providing in various ways for the failure of a male heir. On these grounds it might be urged that the inheritance should be partitioned, for reasons very similar to those which produced the separation of Hanover from England in 1837. *On a different line of argument it might be claimed that daughters of previous Emperors had rights which were prior to those of Charles's daughters; also that pacts and Pragmatic Sanctions of previous Emperors had created a law which Charles had infringed. Particularly dangerous to the Habsburg policy at this moment were the pretensions of the House of Bavaria, which were traced back to a daughter of Ferdinand I. The following document shows how a jealous rival of Austria might find pretexts for opposing the Pragmatic Sanction, pretexts which could be held in reserve, until circumstances determined their utility. The letter was written to the French foreign minister Chauvelin by Chavigny, the French minister in Ratisbon,* 31 *Jan.* 1730.

SOURCE—Text quoted in Sautai, pp. 34–5.

THE proposal is a very indefinite one. We should not be wise if we gave a guarantee without knowing what we were undertaking. The whole subject is really full of doubts and difficulties. All the states which are in the possession of the Emperor have their own different statutes and usages [in regard to the order of the succession]. It is doubtful whether the kingdoms of Bohemia and

Hungary have lost their right of election, and even if they can have lost it, one might ask whether the Emperor can dispose of it to the profit of his daughters. This would be prejudicing the rights of people of Hungarian descent, who go back to the daughter of Ladislaus VI, King of Hungary and Bohemia. She carried her rights over these two kingdoms to her husband Ferdinand I. Anne of Austria, one of the daughters of this marriage, became the wife of Albert, Duke of Bavaria. She alone has a direct and unbroken line of descendants, and they are the princes of the House of Bavaria. And this is where His Electoral Highness [of Bavaria] undoubtedly draws part of his family claims to the Austrian succession in Germany. There is just the same obscurity when we come to the case of the three Austrias. One would have to see the original letters of investiture and then examine all the pacts which the House of Austria has made. The Emperor would find himself in an embarrassing position if he were asked to communicate all the necessary documents in order to show how far the dispositions which he has made are valid. This would lead to the disclosure of many abuses and usurpations which have been allowed to pass but which have not become any the more legitimate for that. Then there is another question as to whether the fief of Milan is masculine or not. If the Empire were to make a decision on this point I am not sure that it would adjudge the fief to be feminine. The right of settling who has the reversion [in the case of the failure of direct heirs] is another question and it is the most important question of all. Can the princes of the House of Austria actually change the order of succession, while they are pretending merely to be working out its implications, as the Emperor cleverly makes out in his Pragmatic Sanction? It appears from some of the documents that if the daughters of the Austrian House have entirely renounced their rights in favour of the masculine line in Germany, they have however reserved those rights in the event of the male line becoming extinct, and the

very existence of these reservations must imply that they had the right of reversion. One could say a great deal about the renunciations made by the daughters of the Emperor Joseph. One might ask whether the many precautions that have been taken to make these renunciations water-tight are not really so many arguments against the validity of these very renunciations. Finally the Emperor himself admits in his Pragmatic Sanction that he is introducing a new law, and this admission raises a point that can be used as an important argument against him.

3. CARDINAL FLEURY'S PEACE-POLICY, 1740

This letter shows how Cardinal Fleury, controlling the policy of France, determined to keep the promise which he had made in the Treaty of Vienna, 1738, *and uphold the Pragmatic Sanction, choosing rather to make issue with the Habsburgs on a different question altogether, the question of the election of an Emperor. Fleury's policy was that of an old man, anxious for peace, conscious of the distressed state of his country, and unwilling to add further burdens to those entailed by the colonial war with England. But his policy was condemned by younger men about the court, and particularly by Belle-Isle; and in the end the younger men had their way. The letter throws light also on the ambitions of Elizabeth Farnese, the Queen of Spain, who had on several occasions amazed Europe by her adventurous sallies on behalf of her sons. She was anxious to use the difficulties of the Habsburgs at this moment for the purpose of making another coup, this time on behalf of the Infante Don Philip. The letter is written by Fleury to the Spanish monarchs and is dated* 24 *Nov.* 1740.

SOURCE—Text quoted in Sautai, pp. 487–8.

YOUR Majesties may be quite sure that the King your nephew [Louis XV] would not have waited for the letters of the 5th of this month with which you have honoured me, before setting to work to procure part of the late Emperor's inheritance for the Infante Don Philip, if there had been any likelihood of success in such an enterprise at the present time. I thought it would be useful to write an account of the whole European situation at the moment, in a separate memorandum for Your Majesties.

From it you will be able to judge for yourselves the obstacles that are in the way of your plans. They are of no less concern to us than to Your Majesties. . . .

If the pretensions of the Elector of Bavaria had had some foundation we should have upheld them. It would then have been possible to find some opening for the acquisition of some advantage for His Most Serene Highness, while the dismemberment of the Emperor's inheritance was being carried out. But Your Majesties will have learned what has taken place in this connection in Vienna and you will see that the testament of Ferdinand I makes it clear that the House of Bavaria has no right to the Austrian inheritance.

Apparently no resource is left to us, therefore, but in connection with the election of an Emperor. This may give rise to divisions between the Electors and at the same time it may enable us to carry on some negotiations in favour of His Serene Highness with the man who is elected.

Everything will depend on the King of Prussia and he is the only person who can keep out the Grand-Duke [Francis of Lorraine]. . . .

We have our hands tied on the subject of the Pragmatic Sanction, and even if we had not been already bound by the Treaty of Vienna, I do not know whether we should not have been compelled to accept this arrangement in order to avoid a general war, which would have been as dangerous for Spain as for us.

Your Majesties are aware of the expenses which we have to meet both to keep up our existing squadrons and to prepare the further ones which we shall need in the coming year ; especially as provisions and all the munitions necessary for these armaments are so excessively dear.

But what concerns us still more is the frightful distress in the provinces caused by the dearth of corn and all the grains necessary for subsistence. The principal duty of a King is the relief of his subjects, and, apart from the immense relief which we are obliged to grant, Your

Majesties will easily understand what a great decrease there has been in the amount of taxes which we are able to collect, as a result of the poverty of the people. . . .

4. FREDERICK THE GREAT'S INVASION OF SILESIA, 1740

Frederick the Great opened the War of the Pragmatic Sanction by his invasion of Silesia on the 16th December 1740. The following letter gives Frederick's own exposition of his policy, as it was to be communicated to the Court of Vienna, and it reveals the curious offer which he had to make to Maria Theresa, who had inherited the Habsburg lands. Frederick also backed up his claims to Silesia by genealogical tables that were as long as they were unconvincing. It is to be noted that he committed the act of invasion before sending this letter and this offer to Maria Theresa; and she was sufficiently high-spirited to refuse to discuss his proposals. The letter is addressed to Privy Councillor von Borke, Prussian minister at the Court of Vienna.

SOURCE—*Corresp. Friedr. II*, Vol. I, No. 159.

THE present situation of Europe is such that it is urgently necessary to adopt a definite policy if one does not wish to let things fall into an impossible state—a state in which human prudence and the greatest effort would be unable to set them right. For this reason I find myself compelled to resort to methods which may seem violent at first glance but which are only intended to ensure the real public good and the equilibrium of Europe, to preserve the system of the Empire and guard the liberty of Germany, and to take the one genuine chance of saving the poor remains of the House of Austria.

With this object in view (and for other valid reasons which I shall reveal in due course) I have decided to send a body of troops into Silesia, not only to prevent others from taking advantage of the present conjuncture to gain possession of a province which acts as a barrier and a safeguard for my states, but also to enable me to be in a position to help the House of Austria and save it from the ruin with which it is menaced.

If they are willing in Vienna to recognize the purity of

my sentiments and motives in this matter, they will reflect on the grievous situation they are in—a situation which leaves them no alternative but to choose between the desperate measure of throwing themselves into the hands of France and the policy of leaving everything to me. They will agree that nobody could serve their purposes better than I can. And here is what I offer to do for the Queen of Hungary and Bohemia, and her husband, the Duke of Lorraine :

1. I am ready to guarantee with all my forces all the States which the House of Austria possesses in Germany, against any State that tries to invade them.

2. I will thereupon enter into a close alliance with the Court of Vienna, that of Russia and the Maritime Powers.

3. I will use all my authority to promote the Duke of Lorraine to the imperial dignity and to uphold his election *contra quoscunque*. I might even say without risking too much that I am confident of succeeding in this.

4. To place the Court of Vienna in a condition in which it can put up a good defence for itself I will furnish it at first with 2,000,000 florins in ready money ; I might even go to three million but we must take care with this at the beginning, and bargain about it as much as possible.

You will understand that in return for services so essential as those to which I am committing myself under the very onerous conditions set out above, I must have a proportionate recompense and a suitable guarantee of an indemnity for all the risks which I am running, and for the rôle which I am willing to take upon myself. In a word, it is the full and total cession of the whole of Silesia that I ask for at first, as the price of the troubles and dangers which I am going to run into in my career of service on behalf of the House of Austria. . . .

My intention therefore is that as soon as you have learned that my troops have entered Silesia, you shall ask for a private audience of the Duke of Lorraine, and faithfully recount to him by word of mouth the contents of this dispatch. . . .

But if they will not grant me purely and simply what I ask, I wash my hands of them and I shall find myself compelled to adopt a different policy, to my great regret. And we will see then what the Court of Vienna can do to get out of its troubles, and preserve its own existence in spite of me—not to speak of reaching the further aims it has in view. . . .

5. THE ELECTION OF A BAVARIAN EMPEROR, 1742

The French Government was glad of an opportunity to wrest the imperial title from the Habsburgs, and on the 24th of January 1742 the Elector of Bavaria was elected Emperor, becoming Charles VII. At the moment of his coronation his Bavarian territory was being overrun by the Austrians and he could not enter his own capital. The misfortunes which beset him for the rest of his life discouraged any other German prince from challenging the Habsburg candidate after his death in 1745.

SOURCE—*Cröy*, p. 595.

. . . The proclamation was read in German. In substance it declared that as the imperial throne had become vacant as a result of the death of Charles VI, the Electoral College, acting in conformity with the laws, had chosen the Elector of Bavaria as King of the Romans, with one voice . . . and that everybody had to recognize him as such. Then the herald cried out '*Vivat rex*' and those who were in the choir (almost all of them Frenchmen) answered this by echoing the cry, and immediately afterwards the cannon on the ramparts was fired. It should be noted here that there was not the least sign of exultation in the whole town. On the contrary everybody had a serious air and almost all Germany was very grieved by this election. The reason was that the election was felt to be entirely a French achievement ; it was even regarded as having been made to a certain extent under compulsion from the two French armies in Bohemia and Westphalia. It was said that this Emperor had been chosen to suit

the French, and that he was the creature of the Cardinal [Fleury] and the brothers Belle-Isle. It was felt that this Emperor, even if he obtained Bohemia and Upper Austria, could not put eighteen thousand men in the field and so could not hold his own against France, to which country he really owed the Empire. For this reason France had become dominant in the Empire, especially as she had divided the princes into parties of equal strength. Above all the Elector of Bavaria and the princes of his house had made themselves hated because, having been obliged to undertake greater expenses than they could bear, they had bled their country, and Bavaria was in a pitiable condition. So this day was marvellous for France and for the Cardinal and the brothers Belle-Isle, since the Empire recognized that they had given it an Emperor. For this purpose each of the interested princes had been given the share that was most appropriate to him in the spoils of the House of Austria ; which House was annihilated as a result. All this was more than the Empire could stomach, accustomed as it had been for so long to recognize that family as its master.

6. THE TREATY OF AIX-LA-CHAPELLE, 1748

The following preliminaries of peace were signed between England, the United Provinces, and France, on the 30th April 1748, to the indignation of their respective Allies, who were interested in the issue of the negotiation. Spain objected to the terms because there was no mention of Gibraltar or Minorca, about which the French Government had made lavish promises ; there was no mention of the maritime grievances from which the war had arisen in 1739 ; and the assiento *was restored to England. Also the Duchies granted to the Infante Don Philip were not given to him in absolute possession, but under certain conditions that provided for their future reversion to their former owners. Sardinia was indignant with England, because she lost territory which she coveted in the duchy of Piacenza, and which had been promised to her when her alliance had been secured to Austria by the Treaty of Worms, 1743. Austria objected to the stipulations because they contained ' a one-sided, gratuitous, and, from the point of view of Vienna, a wholly irrelevant and uncalled-for guarantee of Silesia and Glatz to Prussia' ; also she disliked the cessions made*

to the Spanish Infante Don Philip; but above all she resented the confirmation of certain cessions which had been made to Sardinia in the Treaty of Worms.

SOURCE—Wenck, Vol. II, pp. 310–16.

II. MUTUAL Restitution shall be made of conquests acquired since the beginning of the present war, both in Europe and in the East and West Indies, in the state in which they stand at present.

III. Dunkirk shall remain fortified on the land side, in the state in which it stands at present, but on the side of the sea it shall remain on the footing of the former treaties.

IV. The Duchies of Parma, Piacenza, and Guastalla shall be ceded to the Most Serene Infante Don Philip and shall serve as an establishment for him, with right of reversion to its present possessor, after H.M. the King of the Two Sicilies has crossed over to take the Crown of Spain, as also in the event of the said Most Serene Infante Don Philip dying without heirs.

VII. H.M. the King of Sardinia shall remain in possession of everything he has held either by old right or recent acquisition, and particularly the lands he acquired in 1743, the Vigevanasco, part of the Pavesan, and the County of Anghiera, in the state that he possesses them to-day, in virtue of the cessions which were made to him then.

X. The Assiento Treaty concerning the traffic in Negroes, signed in Madrid, 26 March 1713, and the article concerning the annual ship, are specially confirmed by the present Preliminary Articles, for the years of their non-operation (*i.e.* for four years).

XIV. The Prince elected to the imperial dignity shall be recognized in this quality by all the Powers which have not yet recognized him.

XIX. All the Powers interested in the present Preliminary Articles shall renew in the best possible form the guarantee of the Pragmatic Sanction of the 19th April 1713 . . . with the exception however of the cessions already made by the said Princess [Maria Theresa] and those stipulated in the present Preliminary Articles.

XX. The Duchy of Silesia and the County of Glatz, as they are now possessed by His Prussian Majesty, shall be guaranteed to this Prince by all the Powers and Contracting Parties who have signed the present Preliminary Articles.

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II

THE DIPLOMATIC REVOLUTION

7. THE PROPOSALS OF KAUNITZ, 1749

The following is the summary of the conclusions of the very long memorandum which Kaunitz wrote, recommending an Austrian alliance with France in 1749. *In pursuance of this policy Kaunitz went as ambassador to Paris in* 1750, *and helped to dispose the French Court to the idea of an alliance with its traditional enemy. In* 1753 *he became Chancellor and in* 1756 *he secured a defensive alliance with Louis XV.*

SOURCE—Arneth, *Gesch.*, Vol. IV, pp. 535–6.

IF we put the essential points in the above-mentioned proposals together in a concise form and present the summary of the whole, they rest mainly on the following principles :

That since the King of Prussia is to be counted our worst and most dangerous enemy and we cannot put up with the loss of Silesia, we must use constant and vigilant care to weaken the said King and particularly to regain Silesia.

That for this purpose the co-operation of the Maritime Powers cannot be counted upon at all, and even if they were favourably disposed, still they lack the strength and the means for the carrying out of our aim. That consequently no method is left to us for the achievement of our great purpose, save an understanding with France. That this would never be feasible and the said Crown could never be trusted, unless France were won over to our views by some palpable and genuine advantage. That generous resolutions must therefore be taken in the face

of this difficulty, and France must be won over by the sacrifice of a province in Italy or the Netherlands. This loss must be counted an extraordinarily important gain; and though it is very uncertain and it must be questioned whether even this promise could induce the said Crown to break away from her friendship with the King of Prussia, since that friendship has been so useful to France for so many political reasons, yet in spite of this doubt the welfare and maintenance of the Most High Archducal House seem absolutely to demand that nothing be left undone—demand indeed that we should not miss an opportunity which might be our one chance of gaining and completing our fundamental purpose. That in connection with this the disposition and purposes of the French Court must not be lost sight of, but all motives that may help us must be brought into play and all kinds of methods must be made use of. That indeed our internal and external situation does not allow us to undertake a dangerous and far-reaching offensive policy, but that it is advisable to adopt a plan which would not in all human probability fail, provided the conditions here considered necessary were fulfilled—a plan which might quickly restore the Most High Archducal House to its former system, prosperity and prestige. That since the present situation of Russia and France are favourable but are subject to much alteration, the execution of the plan should not be put off into the future but should be started as soon as possible. It does not conflict with the real interests of the Maritime Powers or with the old system in any way; indeed all well-disposed Powers and all states that are devoted to the common good have reason to favour and promote our views. That indeed the whole project may be considered very difficult and delicate and therefore to a certain degree idealistic and chimerical, but it is not impossible for all that; for practically everything depends on the support of France, and, granted this, most of the doubts fall away of themselves; consequently the thing which matters is not the mere harping on difficulties but the question whether an attempt

is worth risking, and, if that be so, how the objections can best be removed. That the more important the work itself is, all the more it needs circumspection. The idea is by no means to go directly to the House of Bourbon and in plain terms offer them one or other province in exchange for Silesia, without preparing the ground somewhat; for this would mean betraying our plan too soon and giving a chance for the abuse of confidence. On the other hand we must not allow ourselves to press the idea too much or too far, or to delude ourselves with vain hopes; for this would mean getting on the wrong tack again.

8. THE STRAINING OF THE ANGLO-AUSTRIAN ALLIANCE, 1755

The British Government had greatly offended Maria Theresa by its conduct in the War of the Austrian Succession, for it had been much more eager to use Austria for its own purposes in the war against France, than to carry out the guarantee which it had given to the Pragmatic Sanction. In particular it had shown itself too ready to see the Habsburgs sacrifice Silesia. When the war between England and France became imminent in 1755, *England sought to induce Austria to give her assistance for the defence of Hanover and the Low Countries, in case either should be invaded. But Maria Theresa revealed the strained condition of the alliance by raising difficulties at this moment, and particularly she showed an unwillingness to carry out the Barrier Treaty, which had long been irksome to the Austrian Government by reason of the burdens which it laid on the Low Countries. The following is part of a précis of a verbal reply which Kaunitz made to reproaches of the British Minister in Vienna in June* 1755.

SOURCE—Waddington, pp. 136–8.

IT is impossible to be anything but completely astonished by the representations which Mr. Keith has just made, for they are so contrary to what we believed we had the right to expect, that indeed if the Empress's armies had been in the pay of Great Britain, they could not have been more definitely ordered about. . . .

In order to induce H.M. the Empress to devote herself to the defence of the Low Countries and Holland, we are

first of all reproached with everything England has done for the house of Austria at various times. Undoubtedly everybody in Europe will be in agreement with the Court of Vienna on this subject ; and everybody is aware that if the House of Austria has gained useful assistance from her alliance with the Maritime Powers, she has often paid for this with the blood and ruin of her subjects ; when all the time her allies were aggrandizing themselves and opening up new paths for their commerce and their enrichment. It is with regret that we see ourselves in the position of having to bring up these truths to set against unjust and continual reproaches. . . .

9. FREDERICK THE GREAT'S OPINION OF FRANCE, 1755

At the close of 1755 *Frederick the Great's letters to Knyphausen, his minister in Paris, were full of attacks on the imbecility of the French government, and particularly upon the weakness shown by Louis XV in the face of the insults and the threatening conduct of England. The French Government did not seem to realize that a renewal of war was becoming inevitable as a result of the colonial rivalry, and Frederick indulged in perpetual sarcasm at its expense, though France was his only important ally. The straining of the Franco-Prussian alliance was significant, for the alliance, which had been made in* 1741, *was about to expire and the French were very anxious to secure its renewal. The following letter was written by Frederick to his minister in Paris,* 8 *Nov.* 1755.

SOURCE—*Corresp. Friedr. II*, Vol. XI, No. 7073.

As everything which you bring to my notice is a comment on what is happening at present in France, and as this does not give me all that I want if I am to be fully acquainted with the affairs of the French court and the reasons for the inconsistency and weakness of its present conduct, I want you to give me further explanation, and to do it frankly without hiding anything, as I have told you before ; telling me the real reasons why France is carrying on in this way—whether it is sheer imbecility, or the result of being ill-informed, or the effect of intrigue, or whether there is some other reason.

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You have already called my attention to the fact that Madame de Pompadour did not want war to break out. Tell me now, so that I know where I am, whether she is in fact the real prime minister, whether she has any influence on foreign policy, whether she still wants to postpone war, and what she thinks of the unprecedented insults under which England is almost burying France.

Then tell me whether the French ministers ever do waken from their lethargy, just in lucid intervals so to speak, and whether they do now and again pay some attention to the maintenance of the dignity of the French crown.

Further, I want a frank explanation from you of how the King regards the disasters and affronts that are raining down upon him, and what he thinks of the wretched situation his affairs are in—whether he does not feel these things and is not ashamed because of them. . . .

Finally, I do not wish you to be unaware of this fact, though I tell you it only for your private information: I have been talking to people who were in Provence recently, and they have given me the most gloomy account of the deplorable condition the [French] provinces are in: at Toulon eight warships with much of their equipment wanting, six ships not yet completed, not to speak of some worn-out vessels that are of no further use; in the provinces, the people crushed and ruined by the tax-farmers, the flocks in a lamentable state, the soldiers hungry and in rags, the officers badly paid and full of despair, and as regards the recruits, they are boys of 12 to 15 years old; in short, everything in the most desolate condition and nobody dreaming to do anything to remedy this state of affairs. This is the horrible account which I have got from moderate people who were not prejudiced against France.

10. ANGLO-RUSSIAN SUBSIDY-TREATY, 1755

Alliance with Austria, and hence with England, was becoming a tradition of Russian policy, and this was strengthened by Russia's

perpetual need of the subsidies which England was able to provide. In 1755 the British Government was in fear that France would attempt to conquer America in Germany, and would make an invasion of Hanover. By the subsidy-treaty of September 30 Russia bound herself to take action on behalf of England in the event of a French attack on Hanover, but, as the Russian Government was intensely jealous of Frederick the Great at this time, it construed this obligation in a particular way, counting on being able not so much to attack France in the event of an invasion of Hanover, as rather to take the opportunity of attacking Prussia, since Frederick the Great was the ally of France. This document (article II, for example) ought to be compared with the document below, No. 13.

SOURCE—Translation in Jenkinson, Vol. III, pp. 30–6.

I. THE high contracting parties renew expressly, by this convention, the treaty of defensive alliance concluded between them the 11th December 1742. . . .

II. . . . H.I.M. of all the Russias has not only caused to march towards the frontiers of Livonia, adjoining to Lithuania, but engages also to hold there, as long as this convention shall subsist, as near to those frontiers as the quarters will permit, a body of her troops, amounting to 55,000 men. . . .

IV. The body of troops and the galleys mentioned in the two preceding articles, shall not be put in activity, but in case his Britannic Majesty, or any of his allies, should be attacked. . . .

V. In case the dominions of his Britannic Majesty in Germany should be invaded, on account of interests or disputes which regard his kingdoms, H.I.M. declares, that she will look upon such an invasion as a case of the above-said alliance of 1742, and that the said dominions shall be therein comprised in this respect.

VI. In consideration of so important an augmentation of the succour stipulated by the treaty of defensive alliance above mentioned . . . his Britannic Majesty promises and engages to cause to be paid to H.I.M. of all the Russias the sum of £500,000 sterling per annum, to be reckoned from the day when the body of her troops shall have passed the frontier of her dominions, in consequence of

the requisition made by H.M. the King of Great Britain. . . .

First Separate and Secret Article.

Whereas H.I.M. of all the Russias has caused to be represented to his Britannic Majesty, that the march of the troops . . . towards the frontiers of Livonia . . . with which H.I.M. has charged herself; and the expense required to maintain them there . . . have already cost, and must still cost great sums of money, over and above what would otherwise have been necessary for the ordinary service of these troops: In consideration of what is above . . . his Britannic Majesty has been pleased to engage himself by this article, to furnish a succour of £100,000 sterling per annum, payable each year in advance, to be reckoned from the day of the exchange of the ratifications, to the day that, on the requisition of his Britannic Majesty, this body of Russian troops shall go out of her Imperial Majesty's dominions. . . .

11. THE CONVENTION OF WESTMINSTER, 1756

Frederick the Great lived in genuine fear of Russia, and knew of her hostility to himself. Therefore he had an interest in the prevention of the entry of Russian troops into Germany, just as the British Government was interested in the prevention of a French invasion of Hanover. Both Powers desired, therefore, to keep the war out of Germany, and though they had been on strained terms for some time, they came together and on the 16th of January 1756 concluded the following Convention for the preservation of the neutrality of Germany. This document became the occasion if not the cause of the Diplomatic Revolution, which arose therefore out of measures that were being taken to restrict the area of the Franco-British colonial war. Russia was offended by the Convention, for instead of receiving English subsidies for an attack on Prussia she was now faced with the prospect of English hostility if she were to make such an attack. France was offended by it, for Frederick had concluded this Convention behind her back and its effect was to prevent her from invading Hanover.

SOURCE—Translation in Jenkinson, Vol. III, pp. 55–60.

As the differences which have arisen in America between the King of Great Britain and the most Christian King,

and the consequences of which become every day more alarming, give room to fear for the public tranquillity of Europe; H.M. the King of Great Britain, etc., and H.M. the King of Prussia, etc., attentive to an object so very interesting, and equally desirous of preserving the peace of Europe in general and that of Germany in particular, have resolved to enter into such measures as may the most effectually contribute to so desirable an end. . . .

I. There shall be, between the said most Serene Kings, a perfect peace and mutual amity, notwithstanding the troubles that may arise in Europe, in consequence of the above-mentioned differences; so that neither of the contracting parties shall attack, or invade, directly or indirectly, the territories of the other; but, on the contrary, shall exert their utmost efforts to prevent their respective allies from undertaking anything against the said territories in any manner whatever.

II. If contrary to all expectation, and in violation of the peace which the high contracting parties propose to maintain by this treaty in Germany, any foreign power should cause troops to enter into the said Germany, under any pretext whatsoever; the two high contracting parties shall unite their forces to punish this infraction of the peace, and maintain the tranquillity of Germany, according to the purport of the present treaty.

III. The high contracting parties renew expressly all the treaties of alliance and guarantee which actually subsist between them. . . .

Secret and Separate Article.

. . . this convention must not be understood to extend to the Austrian Low Countries and their dependencies, which ought not to be considered as comprised in the present convention of neutrality, under any pretext whatsoever; the rather, as H.M. the King of Prussia hath not, in the 8th Article of the peace of Dresden, guaranteed to H.M. the Empress, Queen of Hungary and Bohemia,

any thing but the dominions which she possesses in Germany. . . .

Declaration.

. . . as soon as his Prussian Majesty shall have taken off the attachment laid upon the Silesia debt, and caused to be paid to his Britannic Majesty's subjects what remains due to them of that debt, as well interest as principal, according to the original contract; his Britannic Majesty promises and engages, on his part, to cause to be paid to his Prussian Majesty the sum of £20,000 sterling, in full satisfaction of every claim which his said Majesty or his subjects may have against his Britannic Majesty, under any pretext whatsoever.

12. THE FRENCH TREATIES WITH AUSTRIA, 1756

(*a*) CONVENTION OF NEUTRALITY, 1 MAY 1756

The French Government, thrown into a panic by the conclusion of the Convention of Westminster, and indignant that Frederick the Great should have carried on the negotiation of this agreement behind their backs, remembered how Frederick had deserted them more than once during the War of the Austrian Succession, and decided not to renew their alliance with the court of Berlin. By breaking away from Prussia in this way, they weakened their chance of bargaining with Austria during the negotiations for a new alliance which took place in some secrecy at this time. The first result of these discussions was the Neutrality Convention given below. It bound the French Government not to invade the Low Countries, and in this way it took from France another opportunity of conquering America in Europe; for an invasion of the Low Countries would have threatened English security and would have been a blow to the Maritime Powers.

SOURCE—Wenck, Vol. III, 139–40.

SINCE the differences that have arisen between His Most Christian Majesty and His Britannic Majesty, about the limits of their respective possessions in America, seem to endanger the public peace more and more, H.M. the Empress, Queen of Hungary and Bohemia, and His Most Christian Majesty, who equally desire to perpetuate the friendship and good understanding which happily now

exist between them, have judged it useful to take the following measures for that purpose.

H.M. the Empress-Queen declares and promises to this end, and does so in the most solemn and binding way in which it can be done: That not only will she not take any part in the above-mentioned differences, either directly or indirectly, since their object does not concern her, . . . but on the contrary she will observe a perfect and strict neutrality during the whole period of the war that is occasioned by the above-mentioned differences between France and England.

His Most Christian Majesty, for his part, does not wish to implicate any other Power in his private quarrel with England, and declares and promises in return, in the most solemn and binding way: That he will not under any pretext or for any possible cause attack or invade the Low Countries or other Kingdoms, States and Provinces under the rule of H.M. the Empress-Queen, and will not do her any harm either directly or indirectly, in either her possessions or her rights. . . .

(*b*) Treaty of Defensive Alliance, 1 May 1756

This treaty represents the diplomatic revolution implied in the alliance of the hereditary enemies, France and Austria. It shows the advantage gained by Austria in negotiation, for Austria was freed from the obligation of assisting France in her war with England, and so was not compelled to make a complete break with her old allies. The treaty came into effect in August 1756 when Frederick the Great's attack on Austria gave the court of Vienna the right to demand the French help that was promised in it.

Source—Wenck, Vol. III, pp. 141–7.

I. There shall be sincere friendship and perpetual union between H.M. the Empress, Queen of Hungary and Bohemia, and His Most Christian Majesty, their heirs and successors, Kingdoms, States, Provinces, Countries, Subjects and Vassals, without any exception. The High Contracting Parties therefore will pay the greatest attention to the maintenance of reciprocal friendship and

inter-relations, between themselves and their States and their Subjects, without allowing the commission of any act of hostility on either side, for any cause or upon any pretext whatever, but avoiding all which might bring future injury to the union and good understanding happily established between them, and using all their efforts on the contrary to bring about their mutual profit, honour and advantage.

II. [Confirmation of the Treaty of Westphalia, and other previous treaties.]

III. H.M. the Empress-Queen promises and binds herself to guarantee for ever all the States, Provinces and Domains at present possessed by His Most Christian Majesty, both for himself and for his successors and heirs, without exception, against the attacks of no matter what Power ; the case of the present war between France and England being however excepted, and this case only, in accordance with the Convention of Neutrality signed to-day.

IV. His Most Christian Majesty promises H.M. the Empress-Queen and her heirs and successors in accordance with the order of the Pragmatic Sanction established in her family, that he will guarantee and defend against the attacks of no matter what Power, and for ever, all the Kingdoms, States, Provinces and Domains which she possesses at present in Europe, without any exception. . . .

VI. But as the good offices which they promise one another [in case either is threatened by invasion] may fail to have the desired effect, Their said Majesties bind themselves from now onwards to send a Corps of 24,000 men to one another's help in case either of them should be attacked by anybody on any pretext ; the present war between France and England on the subject of America, alone being excepted, as was stated in Article III of the present Treaty. . . .

III

THE SEVEN YEARS' WAR

13. TREATY OF ALLIANCE BETWEEN AUSTRIA AND RUSSIA, 1746

The following is the 4th Separate and Secret Article in the Austro-Russian Treaty of 22 May 1746. It reveals the intention of Maria Theresa to recover Silesia if Frederick the Great gave her an opportunity by being the first to start a war. It reveals also the desire of Russia to see the power of Prussia reduced. The clause went further than the other friends of Austria and Russia (i.e. England and Saxony) could accept. It is in this attitude of the two imperial courts that we must look for the origin of the Seven Years' War, rather than in the Diplomatic Revolution which sprang out of treaties concluded for the purpose of preventing the Anglo-French colonial struggle from leading to a general war.

SOURCE—Hertzberg, Vol. I, pp. 30–2.

H.M. the Empress, Queen of Hungary and Bohemia, declares that she will religiously and faithfully observe the treaty of peace concluded between her and H.M. the King of Prussia in Dresden, 25 December 1745, and that she will not be the first to go back upon the renunciation she made of her rights over the ceded portion of the Duchy of Silesia and the County of Glatz.

But if, contrary to all expectations and to the general desire, the King of Prussia should be the first to break this peace-treaty, by making a hostile attack whether on H.M. the Empress, Queen of Hungary and Bohemia, or her heirs and successors, or on H.M. the Empress of Russia, or even on the Republic of Poland; in any of these contingencies the rights of H.M. the Empress, Queen of Hungary and Bohemia, over the ceded portion of Silesia

and the county of Glatz . . . shall come into operation again and shall recover their full force ; . . . The two high contracting parties . . . solemnly promise that for the purpose of removing the common danger of such a hostile attack . . . H.M. the Empress, Queen of Hungary and Bohemia, will keep a corps of 20,000 infantrymen and 10,000 cavalry in Moravia and the adjacent counties in Hungary, while H.M. the Empress of Russia will hold a similar corps in readiness in Livonia, Esthonia and other neighbouring provinces, so that in the event of a hostile attack on the part of Prussia against either party, these 30,000 men may and shall go to the help of the party attacked, within 2 or at latest 3 months, counting from the day the requisition is made. . . .

14. FREDERICK THE GREAT'S ULTIMATUM TO AUSTRIA, 1756

Frederick the Great had learned of Austro-Russian discussions that were taking place with a view to an offensive alliance, gaining his knowledge through the treachery of a Saxon official, at a time when Saxony was involved in the discussions. He had the impression, or at least pretended that he believed, that the negotiations had come to a greater conclusiveness than was actually the case, and he saw an excuse for invading Saxony. He decided to make an attack on Austria before she was ready, unless Maria Theresa would engage not to make war on him ; and when she returned an evasive answer to his thrice-repeated question, he poured his troops into Saxony in August 1756. The Austrian Government was very clever in evading his demands, for by putting Frederick in the position of aggressor they were able, without any more ado, to call upon the defensive alliances with France and Russia. The following are Frederick's instructions to his minister in Vienna, dated 2 Aug. 1756.

SOURCE—*Corresp. Friedr. II*, Vol. XIII, No. 7795.

IMMEDIATELY after the receipt of this letter you will ask an audience of the Empress-Queen. You will tell her that I am sorry to have to insist again, but that it is absolutely necessary in view of the present situation, which is so important as to demand clearer explanations than those she has just given me. Neither the states

of the Empress nor those of her allies are menaced with any attack, but mine certainly are. The Empress must be told, so that nothing is disguised from her, that I am informed by channels that admit of no doubt, that she made an offensive alliance with Russia against me at the beginning of this year. It is there stipulated that the two Empresses will make a surprise attack on me, the Empress of Russia with 120,000 men, and the Empress-Queen with an army of 80,000 combatants. The project which was to have been put into execution this May, was postponed because the Russian troops wanted recruits, the fleets wanted sailors, and Finland was lacking in corn for feeding these. The two courts have agreed only to put off the plan till the coming Spring and as I now hear on all sides that the Empress is collecting her principal forces in Bohemia and Moravia, that the troops are stationed very little away from my frontiers, that considerable magazines and accumulations of munitions of war and provisions are being got together, and that cordons of hussars and Croats are being drawn all along my frontiers, as though we were in the middle of a war, I consider myself entitled to demand a formal and categorical declaration from the Empress, assuring me either verbally or in writing, that she has no intention of attacking me, either this year or next. I do not mind whether this declaration is made in writing or verbally in the presence of the ministers of France and England, and that can be decided according to the Empress's good pleasure; but I must know whether we are at war or at peace, and I am letting the Empress take her choice. If her intentions are pure, now is the moment for making it clear; but if I am given a reply that is like an oracle, an answer that is uncertain or inconclusive, the Empress will have herself to blame for the consequences, for she will be giving me confirmation of those dangerous projects which she has made along with Russia at my expense, and I call Heaven to witness that I am innocent of the evils that will ensue.

In cypher. As soon as the audience is over, you will

immediately despatch a courier with the reply and you will give a copy of it to the English minister. As you will be in a position to judge the turn this affair will take, I must warn you that if these people do not speak more clearly than they did this last time, I shall have no resource but to go to war and you will receive the order to withdraw without taking leave. This might happen on the 23rd or 24th of this month. I must notify you that Marshal Schwerin will be at Neisse and you must let him know by the courier you send me, whether it is to be peace or war, so that he can take the necessary measures down there. The important thing is to let me know quickly ; so it is essential that you let me have a courier by the 15th of this month ; for even if he has no answer to bring, he may be able at any rate to tell me your conjectures on this subject.

15. THE BATTLE OF KUNERSDORF, 1759

Frederick the Great was defeated by a superior army of Russians and Austrians at Kunersdorf on the 12th of August 1759. The battle was extremely severe and the moment was very critical for him. The Prussian army lost a tremendous number of men and Frederick was greatly depressed by the result of the engagement, as is shown in the following letter which he wrote to his Foreign Minister at the end of the day. He was saved, however, by the fact that his enemies were less vigorous than he expected them to be, and lost their opportunities by their slowness in following up the victory.

SOURCE—Text quoted in Mahon, Vol. IV, p. xxxi.

I ATTACKED the enemy at 11 o'clock this morning. We pushed them to the cemetery of the Jews near Frankfort ; all my troops did marvels but this cemetery cost us a prodigious number of men. Our troops were put to confusion ; I rallied them three times ; at the finish I thought I should be taken myself and I was forced to give up the field. My uniform is riddled with shots ; I had two horses killed : my misfortune is to be still alive ; our loss is very considerable. Of an army of 48,000 men I have not 3,000 at the present moment ; all are in flight, and

I have lost control. You will do well to look after your safety in Berlin. It is a cruel reverse ; I shall not survive it ; the consequences of this business will be worse than the defeat itself. I have no more resources, and to tell you the truth I think all is lost. I shall not go on living after the loss of my country. Goodbye for ever.

16. TREATY OF PARIS, 1763

The following is Article IV of the Treaty of Paris, concluded between England, France and Spain on the 10th of February 1763.

SOURCE—Jenkinson, Vol. III, pp. 177–93.

HIS Most Christian Majesty renounces all pretensions which he has heretofore formed or might have formed to Nova Scotia or Acadia in all its parts, and guarantees the whole of it, and with all its dependencies, to the King of Great Britain : Moreover, His Most Christian Majesty cedes and guarantees to his said Britannic Majesty, in full right, Canada, with all its dependencies, as well as the island of Cape Breton, and all the other islands and coasts in the gulf and river of St. Laurence, and in general, everything that depends on the said countries, lands, islands, and coasts, with the sovereignty, property, possession, and all rights acquired by treaty, or otherwise, which the Most Christian King and the Crown of France have had till now over the said countries, lands, islands, places, coasts, and their inhabitants, so that the Most Christian King cedes and makes over the whole to the said King, and to the Crown of Great Britain, and that in the most ample manner and form, without restriction, and without any liberty to depart from the said cession and guarantee under any pretence, or to disturb Great Britain in the possessions above mentioned. His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic Religion, to the inhabitants of Canada : he will, in consequence, give the most precise and effectual orders, that his new Roman Catholic subjects may profess the worship of their religion according to the rites of the Romish Church, as

far as the laws of Great Britain permit. His Britannic Majesty further agrees, that the French inhabitants, or others who had been subjects of the Most Christian King in Canada, may retire with all safety and freedom wherever they shall think proper, and may sell their estates, provided it be to the subjects of His Britannic Majesty, and bring away their effects as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts or of criminal prosecutions. The term limited for this emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratification of the present treaty.

17. TREATY OF HUBERTUSBURG, 1763

This treaty closed the continental war and was signed between Austria and Prussia on the 15th of February 1763. It left Frederick in possession of Silesia.

SOURCE—Martens, Vol. I, pp. 136–45.

III. HER Apostolic Majesty, the Empress, Queen of Hungary and Bohemia, renounces, both for herself and for her heirs and successors generally, all claims she might have or form against the States and Lands of H.M. the King of Prussia, and on those which were ceded to him by the preliminary articles of Breslau and the peace-treaty of Berlin, as also all claims to indemnification for the losses and injuries which she and her States and subjects might have suffered in the last war. H.M. the King of Prussia renounces similarly for himself and his heirs and successors generally, all claims he might have or form against the States and Lands of Her Apostolic Majesty the Empress, Queen of Hungary and Bohemia, as also all claims to indemnification for the losses and injuries which he and his States and subjects might have suffered in the course of the recent war.

XIV. H.M. the King of Prussia shall keep the Catholic Religion in Silesia in the state it was in at the time of the

preliminaries of Breslau and the peace-treaty of Berlin, also he shall keep the inhabitants of this region, one and all, in the possessions, liberties and privileges which legally belong to them, without detriment nevertheless to the full freedom of conscience of the Protestant Religion or to the rights of the Sovereign.

First Secret Article.

H.M. the King of Prussia, Elector of Brandenburg, wishing to give to Her Apostolic Majesty the Empress, Queen of Hungary and Bohemia, a proof of his friendship and of his desire to enter into plans that might be agreeable to this Princess, promises to give his vote to H.R.H. the Archduke Joseph at the future election of a King of the Romans or an Emperor.

IV

THE PARTITION OF POLAND

18. THE DIPLOMACY OF FREDERICK THE GREAT, 1771

The Partition of Poland arose in the first place out of the triangle of forces which emerged in Eastern Europe in the latter half of the eighteenth century, when Austria, Prussia and Russia watched one another with jealousy and often re-shuffled their alliances in order to preserve the balance between one another. Their anxieties came to be concentrated chiefly upon the difficult problems presented by Poland and Turkey, and these problems provided what was in a wide sense the Eastern Question in the eighteenth century. In 1768, the Turks, incited by France, declared war on Russia, as a result of Catherine II's interferences in Poland, but the successes of Russia in this war excited the apprehension of Austria, and Frederick the Great cleverly nursed the Austrian fears, and by hints and suggestions intensified the jealousies of the two Powers. His aim was to persuade the Tsarina to plunder Poland instead of Turkey, so that all three Powers could share in the spoils and preserve the balance between one another. When the Austrians made what was called a 'rectification of frontier' in the region of Zips, pretending to be enforcing ancient rights at the expense of Poland, Frederick wrote the following letter to his minister in St. Petersburg, 20 Feb. 1771.

SOURCE—*Corresp. Friedr. II*, Vol. XXX, No. 19687.

I HAVE judged it proper to communicate to you the particulars which have reached me on the subject of the acquisition which the Austrians have made along the frontiers of Hungary, and which appears to me to be sufficiently interesting to merit the attention of the neighbouring Powers. I have in fact just heard that besides the starostie of Zips, those of Novitarg, Czorstyn and another region not less considerable have been included within the

Austrian cordon . . . that the court of Vienna has already exercised several acts of sovereignty there ; that to the complaints which the republic of Poland has made on this matter Prince Kaunitz has replied in a vague manner but in a way which clearly indicates the plan of putting ancient rights into execution, and that they are already at work at Vienna, making a statement to justify and sustain their claims to these different acquisitions.

No doubt they are clearly informed of most of these circumstances at St. Petersburg. I recall in fact that the first reception of the news of this aggrandizement gave rise among several people at the court of Russia to the idea of an equal aggrandizement for all the neighbours of Poland, and although I have seen from one of your reports that this idea has not been generally adopted, and though I feel strongly that there are several reasons which may be put forward against it, I have thought it necessary to write to you about it, since these arguments always assume that the court of Vienna is going to desist from its enterprise, while it appears clearly from all that I have just brought to your notice that the court of Vienna is firmly resolved to persist in the matter.

When the true state of the question is put in this way there is no longer any question of preserving Poland in its entirety, since the Austrians wish to dismember part of it. The important thing is to prevent this dismemberment from disturbing the balance between the House of Austria and myself—a balance the maintenance of which is so important for me and so much to the interest of the court of Russia itself. Now I do not see any other means of assuring the preservation of the balance than by imitating the example that the court of Vienna is giving to me, and, like her, bringing into force ancient rights which of course my archives will furnish me with, and putting myself in possession of some little province of Poland—giving it up if the Austrians desist from their enterprise, but keeping it if they wish to enforce the pretended titles which they are putting forward.

You will yourself feel that an acquisition of this nature could not give umbrage to anybody ; that the Poles, the only people who would have a right to complain, do not deserve to be humoured by either the court of Russia or myself, considering the conduct they are pursuing ; and that once the Great Powers are in agreement the work of pacification could not be arrested by this.

But I would like above all things to know the real sentiments of the court of Russia on this question. . . .

19. THE AUSTRO-RUSSIAN TREATY OF DISMEMBERMENT, 1772

The Partition Treaty signed on the 25th of July 1772 is interesting because, apart from the clauses allotting the respective shares to the Partitioning Powers, its preamble expounds the pretexts for the action of the governments, namely the anarchy in Poland, and the plea of ancient rights. Article IV shows how the Partition is connected with the Russo-Turkish War, and particularly with the Austrian apprehensions concerning Russian designs on Moldavia and Wallachia.

SOURCE—Martens, Vol. II, pp. 89–96.

SINCE the spirit of faction, the troubles and intestine war with which the Kingdom of Poland has been disturbed for so many years, and the anarchy which daily grows in violence there, to the point of annihilating the whole authority of regular government, give rise to reasonable apprehensions that the total dissolution of the state is at hand, and will disturb the relations and interests of all the neighbouring states and spoil the harmony that exists between them and kindle a general war, as already in fact out of these disturbances alone there has arisen the war which Her Majesty the Empress of All the Russias is carrying on against the Ottoman Porte ; and since at the same time the Powers neighbouring upon Poland have pretensions and rights as ancient as they are legitimate, against this Kingdom, rights for which they have never been able to secure justice and which they risk losing beyond recall if they themselves do not take means to put them in security and make them avail ; at the same time

in order to re-establish tranquillity and order in the interior of this Republic, and to give it a political life more in conformity with the interests of its neighbours. . . .

Art. IV. As H.M. the Empress of All the Russias who has for over three years sustained a private quarrel with the Ottoman Empire as a result of the affairs of Poland alone, has communicated in full confidence to H.M. the Empress, Queen of Hungary and Bohemia, the definite terms on which she would consent to make peace with Turkey; and as her said majesty in this new plan has decided no longer to lend herself to the project of demanding either the conquest or the independence of Wallachia and Moldavia or to insist in consequence upon those of her first conditions which would be most directly contrary to the immediate interest of the states of the house of Austria; Her Imperial and Royal Apostolic Majesty, in conformity with her sentiment of sincere friendship for H.M. the Empress of All the Russias, promises to continue sincerely to use the good offices which she has bound herself to use for the benefit of the two belligerent parties.

Art. V. As it will be necessary to come to a definite arrangement with the Republic of Poland on the subject of the common acquisitions, as well as for the re-establishment of peace and good order in the interior of Poland, H.M. the Empress of All the Russias engages to give her minister residing at the court of Warsaw the most precise instructions to act in common accord and perfect concert with the minister of H.M. the Apostolic Empress-Queen residing at the same court, and to support the negotiation by the steps most calculated to give it success.

20. REPLY OF THE KING OF POLAND TO THE PARTITIONING POWERS, 17 SEPT. 1772

SOURCE—Martens, Vol. II, pp. 106–8.

EUROPE has been aware for a long time what have been the original and the successive causes of the troubles in Poland; it has equally been aware that the King and the

sane part of the nation have employed all possible means to prevent them and to arrest their progress. Their efforts have unfortunately been useless and the consequences of these disorders have been disastrous beyond a doubt. The lawful authorities have been despised; anarchy has extended into nearly all the provinces. The whole of Poland has been trampled, impoverished, devastated, and this has been done as much by its own citizen troops as by the troops of foreign powers. In a word, five years of unheard-of misfortunes have engulfed this Kingdom and made it ardently wish for good order and peace. The engagement taken by the three Powers to concur effectively to this end, contains a project full of humanity, the announcement of which the King could not have seen without the most lively gratitude, if the second part of these declarations had left any room for sentiments other than those of surprise and grief. Here is to be found the announcement of considerable pretensions which the three Courts have put forward against unhappy Poland; their settled plan of securing justice for themselves by joint action; and their actual and effective seizure of an equivalent. The scrupulous care with which the King and the republic of Poland have at all times applied themselves to fulfil all their engagements with these Powers; the religious observance by Poland of the laws of good neighbourliness; the respectful manner in which the King has represented on so many occasions the various subjects of complaint which he unfortunately had to formulate against his neighbours; the very situation in which Poland stands—a situation so worthy of the compassion of generous and feeling hearts—all these circumstances ought to have merited for her a benevolent manner of treatment in return, and ought to have put out of sight for ever all enterprises so injurious to her rights and to the legitimacy of her possessions. The titles of the Republic to all these provinces have all possible solidity and authenticity; the possession of several centuries, avowed and maintained in the most solemn treaties. . . .

What then might be the titles which the three Powers would have to oppose to these? If they are titles drawn from the obscurity of remote times—of those times of transient revolutions which raised, destroyed, gave and surrendered states in the short space of a few months or years—such titles if they were admitted ought to reunite to Poland the provinces which once belonged to her—provinces in the possession of the very Powers who are formulating their pretensions to-day. But as it cannot be denied that such transactions, buried in the oblivion of several centuries and destroyed by settlements that have been established since, are contrary to the terms of the present dismemberment, the titles cannot be admitted without crippling the security of possession of all the sovereignties in the world, and undermining the basis of all thrones. . . .

. . . (The King) declares solemnly that he regards the present occupation of the provinces of Poland by the courts of Vienna, Petersburg and Berlin as unjust, violent and contrary to his legitimate rights; against it he makes definite appeal to the Treaties which guarantee the possession of his Kingdom.

21. REGRETS OF MARIA THERESA FOR THE PARTITION

The following letter from Maria Theresa to Kaunitz is one of many examples which exist to show the personal repugnance which she felt towards the policy she was pursuing.

SOURCE—Translation in Mahon, Vol. V, pp. xliv–v.

WHEN all my lands were invaded, and when I did not even know where I could in quiet give birth to my child, then I firmly relied on my own good right and on the help of God. But in this present affair, when the public right cries out to Heaven against us, and when against us also are all justice and sound reason, I must own that never in my whole life before did I feel so anxious, and I am ashamed to let myself be seen. Let the Prince [Kaunitz] consider what an example we shall be giving to the whole

world, if for a wretched piece of Poland or of Wallachia we give up our honour and fair fame. I plainly perceive that I stand alone and am no longer *en vigueur* ; therefore I let things go their own way, but not without the greatest grief.

22. FINAL PARTITION OF POLAND, 1795

In 1788, *when Russia was engaged by both Sweden and Turkey, the Poles set to work to improve their internal situation, and in May* 1791 *they established an hereditary monarchy and greatly strengthened their government by constitutional reforms. In* 1792 *the Russians, freed from their Turkish embarrassments by the Peace of Jassy, declared war on the Polish king, and the Prussian king, who had promised to defend the new constitution, himself invaded Polish territory, lest Russia should capture the whole. This led to a second Partition of Poland, between Prussia and Russia, September* 1793. *The Poles carried on a bitter struggle in the year* 1794, *and on their defeat the country was finally partitioned and wiped off the map by treaties between Austria, Russia and Prussia. The following is a declaration made by the Russian court to the Austrian Government,* 3 *January* 1795. *The resulting treaty was signed by the three Powers on the* 24*th of October* 1795.

SOURCE—Martens, Vol. VI, p. 699.

H.M. the Empress has been obliged to take measures for the repression and extinction of the revolt and insurrection which have broken out in Poland the results of which are bound to be most pernicious and dangerous to the tranquillity of the Powers neighbouring upon this state. Her efforts have been crowned with the most happy and complete success, and Poland has been entirely brought into subjection and conquered by the armies of the Empress. Her Majesty, who had been authorized to count upon this issue through a confidence founded on the justice of her cause and the strength of the preparations she had made to bring it to victory, has hastened to confer in advance with her two Allies, namely, H.M. the Holy Roman Emperor and H.M. the King of Prussia, concerning the most effectual measures to be taken for preventing the recurrence of disturbances like those which had given her such justifiable

alarm, the seeds of which, for ever stirring in minds thoroughly permeated with the most perverse principles, would not fail to germinate afresh sooner or later, if precautions were not taken by a strong and vigorous government. These two Sovereigns, convinced by their experience in the past that the Republic of Poland is absolutely incapable of providing itself with such a government, or of living peaceably under its laws, and at the same time of keeping itself in any sort of state of independence, have recognized in their wisdom and their regard for peace and the welfare of their subjects, that it was absolutely necessary to resort and proceed to a total partition of this Republic between the three neighbouring Powers. Being informed of this attitude to the problem, and finding it perfectly analogous to her own, H.I.M. of all the Russias has resolved to treat without delay, first of all with each of her two above-mentioned Allies separately, and then with both of them together, in order to bring about a final arrangement with respect to the shares which shall fall to each in pursuance of their common determination.

V

THE BENEVOLENT DESPOTS

23. FREDERICK THE GREAT

The following are samples of the kind of reply which Frederick would make in marginal notes to petitions or reports that had been presented to him. They illustrate his brusque autocratic methods and his shrewd appreciations and views.

SOURCE—Translation in Mahon, Vol. IV, pp. viii–xiv.

(*In the King's own writing.*)

PETITION from Simon, Merchant and Commercial Counsellor at Stettin, to be allowed to purchase the estate of Kraatzen for 40,000 dollars.

Forty thousand dollars invested in commerce will bring in 8 per cent.; in landed property only 4. So this man does not understand his own business. A cobbler should continue a cobbler; a merchant should think of his trade, and not of buying estates.

Petition from the town of Frankfort-on-Oder, against the quartering of troops upon them.

Why it cannot be otherwise. Do they think that I can put the regiment into my pocket? But the barracks shall be rebuilt.

Petition from the bakers at Potsdam, that corn from the public magazines may be allowed them.

They have had above 500 *winspel* already. *Ce sont des Canailles.* Have them up before the magistrate!

Petition from the stocking-weaver Esche, for the sum of 3,200 dollars, due to him on Saxon revenue bonds.

Patciencia !

Petition from Colonel — that he may be stationed in Silesia, as he intends to purchase estates in that province.

That is the very reason why he must not be stationed in Silesia. He would improve the estates and neglect the service.

Petition from the Count of Lippe-Detmold, that the claims of the town of Lippstadt may be duly considered in the purchase of land for fortifications.

A vague answer—in the Austrian style—that shall mean nothing.

Petition from the merchant Hintze for permission to import 10,000 cwt. of copper, duty free.

Give him a round refusal.

Petition from Cornet von Ortzen, that he may be permitted to visit the baths of Carlsbad for the recovery of his hearing.

Carlsbad can do nothing for one's ears.

Petition from the Pastor Pels at Bernau for a yearly pension of 150 dollars, as he finds that he cannot subsist on his stipend of 186.

The Apostles did not thirst after lucre. They have preached in vain ; Herr Pels has no apostolic soul, and does not hold the things of this world as things of naught.

Petition from the Ober-Auditor G. at Berlin, complaining of the appointment of Ober-Auditor Reinecke as General-Auditor, and stating his own claims as the senior of all the Ober-Auditors, and as having served the state for thirty years.

I have in my stable a parcel of old mules, who have served me a long while, but I have not yet found any of them apply to be made Superintendents of the Stable.

Petition from Kantzer, a bookseller at Königsberg, for the title of Commerzien Rath (Commercial Counsellor).

Bookseller—there is a truly honourable title!

Report from the Cabinet Ministers, stating that on a recent conclusion of a treaty with a foreign Power, they had been offered a *Cadeau*; a thing they observe not unusual, but done in an unusual manner.

I appreciate all the repugnance, Sir, that you must have at receiving such recognition; but I take it for granted that you will do yourself the gentle violence of accepting it.

Project from Colonel von W. for obtaining, without any fresh burden on the people, a million and a half additional revenue.

He may keep those millions for himself.

Petition from the academician Bitaubé, who is writing the History of Holland, for six months' leave of absence to travel in that country.

He can write his history here. Why need he run about for it?

Petition from the wine-merchant Kiehn at Berlin, for compensation on account of 82 hogsheads of wine, which the Russians carried off during their last invasion.

Why not compensation also for what he lost in the Flood? His cellars were then no doubt under water.

24. THE RELATIONS BETWEEN MARIA THERESA AND JOSEPH II

Maria Theresa after the death of her husband was co-ruler in Austria with her son, the Emperor Joseph II; but the partnership between the conservative and religious mother and the headstrong son who took the French philosophes *too seriously, and pursued a too adventurous*

foreign policy, was full of strain and vicissitude. This is one of many letters in which Maria Theresa reproached her son. It is dated 24 December 1775.

SOURCE—Arneth, *Jos. II*, Vol. II, p. 99.

WE both suffer from a great misfortune; with the best will in the world we do not understand one another. Perhaps I am too greatly distressed when you fail to show me that confidence and frankness which I should have thought were due to me; and this turns my days into weariness. It is indeed I who can say that for 36 years I have interested myself only in you. Twenty-six of these have been happy, but I could not say the same just now, for I cannot reconcile myself to principles which are too lax in regard to religion and morals. You make too great a show of your antipathy to all the old customs and all the clergy, and also of your loose principles in matters of morality and conduct. This disturbs me, with good reason, and I am alarmed about your delicate situation; it makes me shudder for the future.

25. THE *FÜRSTENBUND*, 1785

Joseph II pursued an adventurous foreign policy, attempting to recoup himself for the loss of Silesia by aggressions against smaller states. His claim to Bavaria in 1778 was thwarted by the opposition of Frederick the Great and led to the so-called War of the Bavarian Succession which was closed by the Treaty of Teschen on 13 May 1779. When in 1785 Joseph returned to his purpose by attempting to carry out an exchange of the Austrian Netherlands for Bavaria Frederick took action again and the episode led to his formation of a League of Princes for the purpose of resisting what was deemed to be Habsburg aggression. The incident is notable because Prussia now appeared as the leader of Germany and the patron of small states in opposition to Austria. The following is the Explanation of the reasons which have determined H.M. the King of Prussia to propose to the other States of the German Empire, and to conclude with some of them, an Association for the maintenance of the Constitution and the System of that Empire *and it is dated August* 1785.

SOURCE—Hertzberg, Vol. II, pp. 307–10.

. . . THE King, being then persuaded for the above-

mentioned reasons that the Court of Vienna has no right to acquire Bavaria by exchange or any other method, but that notwithstanding this, that court, according to all probability, is still often engaged upon this project and believes itself authorized to conclude a *so-called free exchange*—witness its repeated attempts to do this and also the declarations it has spread over the whole of Europe ; H.M., being unable for reasons which have been indicated in the same way, to stand indifferent while a neighbouring Power makes an aggrandizement so considerable and at the same time so arbitrary and unjust ; having secured a permanent right to oppose it, at the peace of Teschen and after a war undertaken for the very purpose ; being, as Elector and Prince of the Empire, and as contracting party and guarantor of the treaties of Westphalia and Teschen, both justified and interested in watching and co-operating with all his forces to ensure that the Constitution and equilibrium of the German Empire are completely maintained, and particularly to prevent the expulsion from the Empire of one of the oldest and most illustrious Houses of Germany, whose preservation is essential to the equilibrium of Germany ; has felt bound for his own safety and preservation as well as for that of the whole German Empire, to do no less than propose to his illustrious partners in the Empire the formation of an Association. This Association is conformable to the fundamental laws of the Empire and in particular to the peace of Westphalia, to the imperial Capitulations and to the customs of all ages, since it has no other aim but to maintain the present legal constitution of the Empire, to preserve each of its members in the free and peaceful enjoyment of his States, rights, and possessions, and to oppose any unjust or arbitrary enterprise. The Most Serene Electors of Saxony and of Brunswick-Lüneburg having manifested the same sentiments, the King, as Elector of Brandenburg, has concluded with them a treaty of union which does not touch on any matters save those that have been presented above, and tends only to the maintenance of the Constitution and the

System of the Empire ; a union which is therefore directed neither against the Emperor nor against the Empire, nor against any of its members ; which does not endanger either the rights or the dignity of His Imperial Majesty, and which could not offend or alarm the Court of Vienna if its views and sentiments relative to the German Constitution were such as one can expect them to be, or such as we confidently anticipate from the magnanimity and rectitude of its august Chief. . . .

. . . It is believed that convincing proof has been given above of the fact that the union which the King has concluded with the Most Serene Electors of Saxony and Brunswick-Lüneburg is not only innocent and legal, but also useful and necessary for the maintenance of the liberty and security of the Empire and its members. In consequence of this, H.M. feels obliged to bring it to the knowledge of his co-partners in the Empire, and hastens to do so, declaring that he is ready to communicate the whole extent of the scheme to them if they desire it, and leaving it to them to accede if they think fit. There are grounds for expecting them to make this accession, considering their lights and their patriotic sentiments, and H.M. the King and the Most Serene Electors of Saxony and Brunswick-Lüneburg will count it a pleasure in this event to receive these states into the union, and let them participate in all the resulting advantages. They will concert with them on this subject and come to an agreement concerning everything that shall be deemed ultimately necessary.

26. JOSEPH II ON THE GROWTH OF REVOLUTIONARY PRINCIPLES, 1787

Joseph II, by ill-considered and doctrinaire reforms carried out on autocratic principles, invaded ancient rights and privileges and offended the prejudices of his less enlightened subjects, until at the close of his reign the Netherlands had rebelled and formed themselves into an independent State, while Hungary was seething with revolt. In the following letter, dated 3 Aug. 1787, the British minister in Vienna

is narrating the conversation of Joseph on the subject of the development of revolutionary principles—a conversation which illustrates his attitude at a time when his policy was exasperating his subjects in the Netherlands, and which is particularly interesting as taking place only two years before the outbreak of the French Revolution.

SOURCE—*Keith*, Vol. II, pp. 208–18.

'HIS Britannic Majesty knows by his own experience, that it is the unhappy lot of monarchs to see their upright intentions frequently misapprehended, their views wilfully miscontrued, and their principles calumniated. . . . I have lately seen my subjects in the Netherlands on the very brink of open rebellion from the frantic adoption of views which have been artfully and incessantly instilled into their minds by designing lawyers, bigoted priests, and a few men of higher birth, who are new-fangled dabblers in what *they* call patriotism. The feebleness of my government in the Low Countries had, by timid and unwarrantable concessions, in a manner encouraged the arrogant demands of my subjects, and by yielding a ready consent to every encroachment on my rights the governors at length left to the Flemish leaders no other difficulty save that of *inventing* new pretensions. The only excuse those governors offered for their conduct was the solemn asseveration, repeated in every despatch, that *this*, and *this*, and *this* must be conceded; otherwise the Low Countries would be inevitably and irrevocably lost to the House of Austria. *I* never felt that danger; I never foresaw and still less confirmed the concessions which, being granted by persons invested with no sort of authority to relinquish any of the rights of sovereignty, are in themselves *null and void*. The steps I have already taken have in some degree opened the eyes of the Flemish nation and I trust that I shall be able to bring them back to reason and justice. . . .'

All this was said very rapidly. . . .

. . . 'I will readily grant you, Sir, that the *patriots* as they are pleased to call themselves in Holland have been extremely desirous to make proselytes to their doctrines everywhere. But it is not from them alone that my

subjects in the Netherlands have borrowed the spirit of turbulent and mistaken patriotism. It is flaming forth in every petty state of that quarter of Europe. Not only at Liège, at Spa, and at Aix-la-Chapelle, but even in the Princess Cunegunda of Saxony's abbey of Essen! Nay, let me tell you,' continued the Emperor, 'but only in the way of confidential conversation, that the King of France has acted very *unwisely*, not to use a *harsher* term, to have sown the seeds of that fructifying doctrine in his own dominions by his late *assembly of the Notables*—he may expect the *inevitable growth of them throughout the whole of his future reign. . . .*'

27. CATHERINE II

(*a*) PORTRAIT OF CATHERINE

John Hobart, second Earl of Buckinghamshire, was our Ambassador to the court of St. Petersburg from 1762 *to* 1765. *The following account is taken from his* Russian Memoranda—*disconnected and undated notes concerning Russian life and society. It gives an eye-witness's impression of Catherine in the early years of her reign.*

SOURCE—*Buckinghamshire*, Vol I, pp. 100–102 and Vol. II, pp. 273–4.

HER Imperial Majesty is neither short nor tall; she has a majestic air, and possesses that happy mixture of dignity and ease which at once enforces respect and sets men at their ease. Formed with a mind and body capable of acquiring every accomplishment, an enforced retirement gave her more leisure to cultivate them than is usually allotted to princes, and qualified her, as she charmed the eye in gay society, to delight the understanding in more serious moments. This period of constraint, which lasted several years, and the agitation of mind and continual fatigues which she has undergone since her accession, have deprived her charms of their freshness. Besides, she has never been beautiful. Her features were far from being so delicately and exactly formed as to compose what might pretend to regular beauty, but a fine complexion, an animated and intelligent eye, a mouth agreeably turned,

and a profusion of glossy chestnut hair produce that sort of countenance which, a very few years ago, a man must have been either prejudiced or insensible to have beheld with indifference. She has been, and still is, what often pleases and always attaches more than beauty. She is extremely well made, the neck and hands remarkably beautiful, and the limbs so elegantly turned as equally to become the dress of either sex. Her eyes are blue, their vivacity tempered by a languor in which there is much sensibility and no insipidity. She has the air of paying no attention to what she wears, yet she is always too well drest for a woman who is entirely indifferent to her appearance. A man's dress is what suits her best; she wears it always when she rides on horseback. It is scarcely credible what she does in that way, managing horses, even fiery horses, with all the skill and courage of a groom. She excels, too, in the serious as well as livelier dances. She expresses herself with elegance in French, and I am assured that she speaks Russian with as much precision as German, which is her native language, and that she has a critical knowledge of both languages. She speaks and reasons with fluency and precision, and some letters which must have been of her own composing have been admired and applauded by the scholars of the nation in whose language they were wrote.

Reading made her amusement in the retirement in which she lived in the days of the late Empress. The history and the interests of the European Powers are familiar to her. When she spoke to me of English history, I perceived that what had struck her the most was the reign of Elizabeth. Time will show where such an emulation may lead her. Finding herself superior in information and argument to most of those about her, she thinks she is equally so to everybody, and, understanding clearly what she has learnt, she sometimes thinks herself mistress of what she has not. When she was on board the Admiral's ship at Cronstadt, her imperial standard flying, and flattered with the inexperienced grandeur of commanding more than twenty

large ships, she disputed with me which end of a man-of-war went first—a circumstance which indeed she was not obliged to know—but the actual situation made the doubt ridiculous.

Much stress is laid upon her resolution, particularly in the instance of dethroning her husband. Desperate situations make cowards valiant. She was compelled either to ruin him or to submit herself to that confinement which she knew had long been in deliberation. Those who know her well say she is rather enterprising than brave, and that her appearance of courage arises sometimes from a conviction of the pusillanimity of her enemies, at others from her not seeing her danger. She certainly is bolder than the generality of her sex, but I have seen her twice very much afraid without reason: once when she was getting out of boat into a ship; the other time, upon hearing a little noise in the ante-chamber at Court. But when the occasion requires it she dares all, and in many critical and dangerous situations her courage has never failed her. Yet she has all the delicacy of her sex. To see her is to know that she could love, and that her love would make the happiness of a lover worthy of her.

Two capital errors, which are equally evident and inexcusable, are the meanness with which she submits to the ill-bred inattention of Orlow, and the little affection she shows to the Grand Duke.

The amusements of her retirement, into which she enters with a youthful spirit, are trifling beyond expression, and much the same which children in other countries leave off at twelve years old.

Those who are most in her society assure me that her application to business is incredible. The welfare and prosperity of her subjects, the glory of her empire, are always present to her; and to all appearance her care will raise the reputation and power of Russia to a point which, at present, they have never reached, if she does not indulge too much in far-fetched and unpractical theories, which interested or ignorant people are too ready to suggest

to her. Her foible is to be too systematic, and that may be the rock on which she may, perhaps, split. She embraces too many objects at once; she likes to begin, regulate and correct projects all in a moment. Indefatigable in everything that she undertakes, she obliges her ministers to work incessantly. They argue, make plans, and sketch out a thousand schemes, and decide upon nothing. Among those who hold the first rank in her confidence, some will be found who have experience, but few if any who possess superior talents. . . .

It is impossible to consider the general tenour of her conduct, since she placed herself upon the throne, without tracing evident marks of a laudable ambition to distinguish herself; to make her subjects happy at home and respectable abroad; to encourage arts, sciences, and commerce; to form by a liberal education the young nobility of both sexes; to extend in a great degree the same advantages to inferior ranks; to improve the public revenue without oppressing individuals; to check the tyranny with which the clergy distressed their vassals; and to introduce that ease of society, that urbanity and general good breeding which prevail in other European nations; in a word, to transmit her name with glory to posterity, and by the use she makes of empire to palliate the means by which she has acquired it.

(*b*) Catherine II and the French Revolution, 1793

Catherine II of Russia claimed to be a disciple of the philosophes, *and patronized them, corresponding with writers like Grimm and Diderot, both of whom went to stay some time in St. Petersburg. In her actual policy, however, she was by no means the doctrinaire and idealist that Joseph II was, and when the French Revolution brought the modern views into discredit, she showed herself the most uncompromising enemy of the principles it stood for. By an edict of* 8 *Feb.* 1793, *she demanded the following oath of every Frenchman entering Russia.*

Source—Waliszewski, Vol. I, p. 401.

I the undersigned swear before Almighty God and on His

Holy Gospel, that I have never actually or freely given any adhesion to the impious and seditious principles that are now being professed in France, and I regard the government that has been established there as a usurpation and a violation of all law. I look upon the death of the Most Christian King Louis XVI as an abominably base crime. I am fundamentally convinced of the holiness of the religion that has come down to me from my forefathers, and I fully admit my duty to be faithful and obedient to the King to whom the crown of France has fallen by right of succession. Therefore while I enjoy the sure refuge which Her Imperial Majesty of All the Russias has deigned to allow me within her dominions, I promise to observe the sacred religion in which I was born, and to conduct myself in complete submission to the laws of Her Imperial Majesty. Also I will break off all correspondence with Frenchmen at home, who recognize the monstrous government at present existing in France, and I will not renew it until legitimate authority has been restored and Her Imperial Majesty has given me express permission. If I act against my present oath I agree to submit to all the rigour of the law both in this world and the next, and I will bow to the terrible judgment of God. And, as a sign of this oath I kiss the words of our Lord and the Cross of my Saviour, Amen. . . .

VI

FRANCE

28. THE ENCYCLOPÆDIA, 1752

The Encyclopædia *was the most typical product of the philosophical movement in eighteenth-century France. It was a composite work produced by the whole school of writers who belonged to the 'age of reason'; it was illustrated; it came out periodically; and it was edited by Diderot, who contributed a prodigious number of articles. While serving one purpose, as a compendium of universal knowledge, it was used also as a vehicle for the exposition of the 'philosophic' system; and it was a powerful piece of propaganda. The first volume appeared in July 1751, and the second in January 1752. On the 7th of February 1752 the work was condemned in the following decree:*

SOURCE—Isambert, Vol. XXII, pp. 250–1.

THE King, having had report made to him concerning what has happened on the subject of a work entitled Encyclopædia or Explanatory Dictionary of the Sciences, Arts and Crafts, written by a group of men of letters (two volumes only of this work having as yet been printed), H.M. has realized that in these two volumes there have been inserted several maxims tending to the destruction of the royal authority, the establishment of a spirit of independence and revolt, and the fostering, by obscure and equivocal phrases, of error, corrupt morals, irreligion, and unbelief. H.M., always attentive to anything which concerns public order and the honour of religion, has judged proper to interpose his authority to check the evils which might follow from the pernicious maxims scattered about this work; and to this effect, the report having been read, the King, being in his council, has ordered and

does order with the advice of the Chancellor, that the first two volumes of the work entitled Encyclopædia or Explanatory Dictionary of the Sciences, Arts and Crafts, by a group of men of letters, shall be and shall remain suppressed. It is expressly prohibited and forbidden to all printers, publishers and others, to reprint or have reprinted the said two volumes ; as also to sell or in any way distribute the printed copies which they still possess, on pain of a fine of 1,000 livres, or of such other penalty as shall be deemed necessary—even, if printers and publishers are concerned, the penalty of forfeiture and deprivation of their licence. The present order shall be read and published, and shall be placarded wherever necessary.

29. THE *PHILOSOPHES*

The following extract from the Memoirs of the Comte de Ségur *shows how the French nobility came to patronize the* philosophes *and make their doctrines fashionable in eighteenth-century France.*

SOURCE—Text quoted in Roustan, p. 158.

WITHOUT regret for the past, without anxiety for the future, we young French nobles walked light-heartedly on the carpet of flowers which concealed from us an abyss. We were smiling mockers of the ancient ways, the feudal pride of our fathers and their grave etiquettes, and everything that was old was boring and ridiculous to us. The gravity of the old-fashioned doctrines was too burdensome for us. The smiling philosophy of Voltaire attracted us, because it was so amusing. Without deeply inquiring into the thought of the more serious writers, we admired it because it was instinct with courage and opposition to arbitrary power. . . .

We were inclined to surrender wholeheartedly to the philosophical doctrines put forward by the men of letters, who were so witty and bold. Voltaire seduced our minds ; Rousseau touched our hearts ; we took secret pleasure in the fact that these men attacked the old edifice that seemed

to us to be Gothic and ridiculous. So, whatever might be the rank and privileges we held as the survival of our former power, which was being undermined at that very moment, we took pleasure in this little war ; for we did not feel its dangers, we only saw it as a piece of drama. . . .

We laughed at the solemn fears of the old Court and the Clergy, who thundered against this spirit of innovation. We applauded the republican plays at the theatre, the philosophical discourses at the Academy, and the daring books of our men of letters. . . . The idea of Liberty, in whatever way it was expressed, pleased us by its courage, its spirit of equality, and its general convenience. Men find it a pleasure to stoop below themselves, so long as they can feel able to rise up again whenever they please ; and since we did not look far ahead, we were able to sample at one and the same time the advantages of aristocracy and the luxury of a plebeian philosophy.

30. LOUIS XV AND THE *PARLEMENTS*, 1770

The Parlement of Paris played the part of an opposition to Louis XV. Its old 'right of remonstrance', that is to say its right to petition the King against the laws which it was ordered to register, was used for political objects and was claimed as a right to veto legislation. When the King enforced the registration of his laws, by appearing in person at a lit de justice, the Parlement would go on strike and suspend the administration of justice, and it began to combine with the Parlements of the provinces, to form a strong confederation against the King. It was in consequence of this that Louis XV issued the following edict against the Parlements, forbidding them to combine, or to suspend their functions, or to use their 'right of remonstrance' for political purposes. [*December* 1770.] *As the Parlement of Paris still refused to administer justice, the King sent round an inquiry to the members on the night of January the* 19*th, asking them whether they intended to carry out their duties or not. On their refusing once more they were deprived of their functions and sent into exile on the following day. Before the end of* 1771 *all the Parlements in the provinces had been suppressed or reconstituted. For the work of justice, superior councils of magistrates were formed, and these were appointed by the King.*

SOURCE—Isambert, Vol. XXII, pp. 501–9.

THE spirit of system which is as uncertain in its principles as it is bold in its enterprises, has not only made disastrous inroads upon the realm of religion and morals, it has refused even to respect the deliberations of several of our courts. We have seen these courts in their turn put forward new ideas and hazard principles which they would have proscribed as being calculated to disturb public order, if they had found them at any other time or in any other body than themselves.

We have seen them at various times resort to interruptions and cessations of service, thereby making our subjects suffer from delays in the administration of justice . . . and they have imagined that by such methods they could constrain us to give way to their opposition.

At other times they have sent in their combined resignations, and by a singular piece of contradiction they have disputed our right to accept the resignations a moment afterwards.

Finally they have come to consider themselves as forming one single body, one single parlement ranged into different grades over the different parts of our kingdom.

This novelty was first conceived of by our Parlement of Paris, which then ignored it when it served its purpose to ignore it. But it still exists in our other parlements; it is reproduced in their decrees and decisions . . . as though our courts could forget that several of them existed in provinces that did not belong to our kingdom at all, but have come into our possession by private titles; also that they were established separately at different dates; that our predecessors made them independent of one another at their formation and gave them no claim to relationship with one another; that their founders gave them limits which we or our successors may extend or reduce as the interests of our people demand it; and finally that beyond these limits, no edict of theirs can be executed unless it be at our command. . . .

One of the most pernicious effects of this system is to persuade our parlements that their deliberations acquire

more weight in consequence of these principles; and already some of them, believing that they have become more powerful or independent, have given currency to maxims that were unknown until recently. They have called themselves 'representatives of the nation, necessary interpreters of the public will of Kings, guardians over the administration of the public services and the settlement of royal debts'; and soon they will acknowledge no virtue in our laws except in so far as they themselves shall have adopted and legalized them; and they will rear up their authority at the side of ours, if not above it, reducing our legislative power to the mere faculty of proposing our desires to them, and reserving to themselves the right to prevent the carrying out of our will.

If after having listened with patience and kindness to their remonstrances, we still feel it our duty to have our laws registered at our command, these courts are seen to rise up against this ancient and legitimate exercise of our power, and they qualify these registrations as *illegal entries*, contrary to what they call *the fundamental principles of the monarchy*. They come away from the court when our messengers begin to carry out our orders. . .

. . . Before proscribing them by our edict, we wish to remind our courts of the principles from which they ought never to depart.

We hold our crown from God alone; the right to make laws for the guidance and government of our subjects belongs to us alone, and does not depend upon anybody else and is not shared with anybody. We address these laws to our courts so that they may be examined, discussed and put into execution; when these courts find certain inconveniences in the terms of these laws, we have accorded to them the permission to make the respectful remonstrances they might judge suitable; we have several times assured them that we would listen to all that they had to say for the good of our subjects and our service. . . .

But this practice . . . does not mean that our officials

have a right of resistance; their representations only have a limited validity; it is not they who can put bounds upon our authority. . . .

31. THE POLICY OF TURGOT, 1774

Turgot, who was the most important of the reforming ministers of Louis XVI, and was a disciple of the philosophes *and a contributor to the* Encyclopædia, *was Controller-General of Finance from 1774 to 1776. His attempts at reform failed partly because he was doctrinaire, partly because the King did not support him in his fight against vested interests, and partly because he was incapable of the work of personal influence and political manipulation which was needed to maintain himself in office, to reconcile interested parties and to carry out his reforms. The following letter which he wrote to the King in August 1774, just after he had accepted office, shows not only his policy and his diagnosis of the situation of France, but also some signs of those defects of personality which contributed to his failure.*

SOURCE—Turgot, Vol. II, pp. 165–9.

SIRE, after leaving Your Majesty and while still full of anxiety because of the immensity of the burden which you are imposing upon me, though at the same time deeply moved by the kindness with which you deigned to reassure me, I hasten to place at your feet my respectful gratitude and my absolute and lifelong devotion.

Your Majesty has kindly authorized me to place before your eyes the engagement you have made with yourself to sustain me in the execution of those plans of economy which are at all times, but to-day more than ever, an absolute necessity. I should have liked to be able to develop for you the reflections which are suggested to me by the present situation of the finances; time does not permit it, however, and I will wait and go into the matter more at length when I have acquired more precise information. I will be content for the moment to remind you of these three words:

No bankruptcy;
No increase of taxes;
No loans.

No bankruptcy, either open, or disguised by compulsory reductions of interest.

No increase of taxes,—the reason for this lies in the situation of your people and still more in Your Majesty's kindness of heart.

No loans, because every loan is bound to diminish the revenue actually at our disposal; at the end of a certain period it necessitates either bankruptcy or the increase of taxes. In time of peace we must not allow ourselves to borrow except to liquidate former debts or to reimburse other loans made at a heavier interest.

If we are to keep these three points, there is only one way in which this can be done. We must reduce our expenses and bring them below our receipts—sufficiently low to enable us to save 20 millions every year, so that we can pay outstanding debts. Otherwise, the first cannon-shot will force the country to repudiate its obligations.

. . . It is therefore absolutely necessary that Your Majesty should order all your administrative officers to consult the minister of finance. It is essential that he should be able to talk to them in the presence of Your Majesty and discuss how far any proposed expenses are really necessary. It is above all necessary, Sire, that when you have fixed the estimates for each department, you should forbid the responsible officer to order any new expenditure before he has consulted with the department of finance concerning the means of making provision for it. Otherwise each department would accumulate debts which would always be chargeable to Your Majesty, and the minister of finance could not answer for receipts balancing expenses.

Your Majesty knows that one of the greatest obstacles to economy is the multitude of demands with which you are assailed—demands which unfortunately have been encouraged because your predecessors granted them too easily.

Sire, you must be on guard against your own generosity, and you must let your own kindness protect you against

it ; consider from whence comes this money that you are able to distribute to your courtiers ; and compare the poverty of those from whom you are sometimes obliged to wrest this money by the most rigorous methods, with the situation of even the people who have the greatest claim upon your liberality. . . .

Your Majesty will not forget that in accepting the post of Controller-General, I felt the value of the confidence with which you are honouring me ; I felt that you were confiding to me the happiness of your people, and, if I may be permitted to say so, the duty of making your own person and authority beloved. But at the same time I felt all the danger to which I was exposing myself. I foresaw that I should be alone, fighting against abuses of all kinds, against the efforts of those who profit by these abuses, against the crowd of prejudices which stand in the way of all reform, and which are so powerful an instrument in the hands of those who are interested in perpetuating disorder. I shall have to fight even against the natural kindness, the generosity of Your Majesty and of the people dearest to you. I shall be feared, even hated, by the greater part of the court, indeed by all who solicit favours. All refusals will be imputed to me ; I shall be painted as a hard man because I have represented to Your Majesty that you ought not to enrich even those whom you love at the expense of the very livelihood of your people. These people for whom I shall have sacrificed myself, are so easily deceived that perhaps I shall incur their hatred by the very measures which I adopt to defend them from vexation. I shall be calumnied, and perhaps this will be done with sufficient plausibility to rob me of the confidence of Your Majesty. I shall not regret losing a place concerning which I never had any great hopes.

32. THE FAMILY COMPACT, 1761

The idea of a Bourbon family alliance was a recurrent one in the eighteenth century, and the Bourbons of France, Spain and Italy had

been in combination during the War of the Polish Succession and the War of the Austrian Succession. Spain for a long time took no part in the Seven Years' War, but the revival and extension of the idea of the Family Compact was promoted in 1758 *by the accession to ministerial power in Paris of Choiseul, who counted the Spanish alliance as more important than the Austrian. The execution of the scheme did not become possible, however, until the accession of Don Carlos as Charles III of Spain in* 1759. *The treaty was concluded on the* 15*th August* 1761. *It must be noted that the alliance was particularly directed against England, and was maritime and colonial in its purpose. Its real significance lay in its aspect as the alliance of the two declining colonial powers against the aggressions of England. France's interests in Germany were expressly excluded from the treaty-arrangements, and the only operation which the Family Compact had was at the close of the Seven Years' War and in the War of American Independence.*

SOURCE—Martens, Vol. I, pp. 16–28.

THE bonds of kinship which unite the two monarchs now reigning in France and Spain, and the special feeling which they have for one another, of which they have given so many proofs, have induced His Most Christian Majesty and His Catholic Majesty to draw up and conclude with one another a treaty of friendship and union, under the title of the Family Compact ; the principal object of which is to render permanent and indissoluble not only for their majesties but also for their descendants and successors, the obligations which are a natural consequence of family relationship and mutual friendship. The intention of His Christian Majesty and of His Catholic Majesty in contracting the engagements formed by this treaty, is to perpetuate in their posterity the sentiments of their common and august great-grandfather, Louis XIV of glorious memory ; and also to make a solemn and lasting memorial of their reciprocal interests, upon the basis of which the desires of their courts and the prosperity of their royal families are to be founded. . . .

Art. I. His Most Christian Majesty and His Catholic Majesty declare that by virtue of their close ties of relationship and friendship and by the union which they contract in this present treaty, they will in future regard as their

common enemy any power which becomes the enemy of either of the two Crowns.

Art. II. The two contracting monarchs reciprocally guarantee to one another in the most absolute and authentic way, all the states, lands, islands and places which they possess in any part of the world, without any reservation or exception. . . .

Art. III. His Most Christian Majesty and His Catholic Majesty accord the same absolute and authentic guarantee to the King of the Two Sicilies and the Infante Don Philip, Duke of Parma, for all the states, countries and places they possess ; provided that His Sicilian Majesty and the said Infante Duke of Parma also guarantee on their part, all the states and dominions of His Most Christian Majesty and His Catholic Majesty.

Art. IV. Although the inviolable and mutual guarantee which His Most Christian Majesty and His Catholic Majesty have given to one another is to be sustained with all the power at their disposal, and their Majesties understand this to be the case, in accordance with the principle which is the foundation of this treaty : *who attacks one Crown attacks the other* ; still the two contracting parties have judged it proper to fix the amount of the help which shall be furnished in the first instance by the Power that is called upon for help. . . .

Art. VIII. His Most Christian Majesty excepts . . . for his part the wars into which he may enter or in which he may become involved in consequence of the engagements which he has contracted by the treaties of Westphalia and other alliances with the Powers of Germany and the North ; and considering that the said wars cannot in any way concern the crown of Spain. . . .

Art. XVII. His Most Christian Majesty and His Catholic Majesty engage and promise that in the event of war they will not make or listen to any proposal of peace, or treat, or conclude peace with the enemy or enemies they may have, except by mutual agreement and common consent, and that they will communicate to one another

everything that might come to their knowledge which might be of interest to the two crowns, particularly in regard to a pacification; in such a way that in war as in peace each of the two crowns will regard the interests of its ally as its own.

Art. XXI. Since the present treaty must be regarded as a family compact between all the branches of the august House of Bourbon, as is announced in the preamble, no other Power save those belonging to this house may be invited or allowed to accede to it.

Art. XXIV. In each of the two Kingdoms in Europe the subjects of the high contracting parties shall be treated in matters of commerce and duties as the own subjects of the country to which they may resort or in which they may reside, in such a way that the Spanish flag shall enjoy in France the same rights and prerogatives as the French flag, and similarly the French flag shall be treated in Spain with the same favour as the Spanish flag. The subjects of the two monarchies, when they declare their goods, shall pay the same duties as are paid by the natives; importation and exportation shall be equally free as for natives. . . .

VII

THE FRENCH REVOLUTION

33. *CAHIER* OF THE THIRD ESTATE OF THE TOWN OF ORLEANS, 1789

When Louis XVI summoned the States-General in 1789, *the inhabitants of France, in their various classes and localities, were able to send up* Cahiers, *or memorials, embodying their grievances and their demands for reforms. Thousands of these were drawn up, and they are an index to the state of opinion of various sections of France. They show the influence of the* philosophes *on many men who must have been leaders of the people in the work of drafting them, and they present demands ranging from purely local and unimportant affairs —for example, the demand for better street-lighting in the local town —to the most momentous issues of State, such as the demand for a Constitution.*

SOURCE—Bloch, Vol. II, pp. 287–331.

Fundamentals of the Constitution. The deputies of the Third Estate elected to the States-General will demand:

1. That the question of the form in which all the deliberations are to be carried on in the regular meetings of the States-General shall be discussed in a combined meeting of all the Orders and shall be decided by a majority of votes. And in case the first two Orders refuse to agree to this method, the Third Estate will appeal to the wisdom of the King in order to secure that they are not cheated of the advantage which ought to result from the equality of representation. . . .

2. That the Catholic and Apostolic religion of Rome shall be retained and preserved in all its purity; that it alone shall be publicly practised in the kingdom; that

non-Catholics shall be made to keep silent on religious questions; that they shall have neither places of worship, nor public meetings nor external rites; and that they shall be made to pay the parish dues.

3. That before any deliberation takes place on any taxes, loans, reforms or any other matters of administration, His Majesty, acting in conformity with the maxims that have been consecrated by the Kings his predecessors, and notably by Charlemagne . . . and Charles the Bald, will deign by a solemn edict registered in all the Courts, to recognize that laws can only be made by the authority of the King, and by the request or the consent of the National Assembly, and that no other body can claim to have the least part in legislative power.

6. That it shall be recognized next that no tax may be levied either directly or indirectly or by means of provisions, or even loans or the creation of offices, save after it has been voted by the National Assembly.

7. That the Nation itself shall settle the amount of the taxes, the form of their collection, and the period of their operation, but this period shall never be perpetual but shall be limited to the space between one assembly of the Estates and the next.

8. That since all property and persons need a protecting power and all taxes, direct or indirect, on land or on people, are the payment for that protection, such taxes shall be allotted on the same terms and in the same form between each and all the members of the Clergy, the Nobility and the Third Estate, in accordance with the general rules of proportion and justice.

12. That His Majesty will deign to give permanent recognition to the existence of the States-General by means of a constitutional decree which will provide for their periodical recurrence at such times and in such form as shall have been determined under his authority by the National Assembly.

14. That in each district Provincial Estates shall be established, and that the composition of these shall be

in the proportion and subject to the regulations prescribed for the election of deputies to the States-General, in matters that concern the relations of the Third Estate with the two other Orders; and that deputies to the Provincial Estates shall be freely elected and shall decide questions by a majority vote.

21. That deputies to the States-General shall be expressly required not to take action on any other subject and not to consent to the levy of any kind of taxes, until the various fundamental matters have been presented to the King and have received his answer.

Taxation and Finance. 22. That before any new tax is put to the vote, the present deficit be declared by commissioners nominated by the States-General and the expenses of the different departments fixed and regulated, in such a way that they cannot be exceeded save by the consent of the States-General.

29. That the *taille* on property and the industrial *taille*, the *vingtièmes*, the road-tax and the noble and non-noble capitation tax shall be abolished and converted into two new taxes, of which the one shall be territorial and the other personal.

30. That the *gabelle* shall be suppressed and replaced as quickly as possible in the way that is judged least burdensome.

39. That for the purpose of helping to cover the loss which the finances will suffer from the reformation of the different indirect taxes, there shall be established an annual tax on luxuries, like carriages and domestic servants.

46. That the first way of easing the burden of the national debt shall be the sale of the crown lands; for which purpose the law which declares them inalienable shall be abolished.

Justice and Courts. 79. That all royal officers shall be made to reside continuously in the towns where they are established . . . on pain of losing their positions.

80. That royal offices shall be declared inconsistent with holding of ecclesiastical benefices and dignities. . . .

Criminal Procedure. 119. That while granting freedom of the press the States-General shall ask for a solemn law which, under most rigorous penalties, shall prohibit anything being written to the detriment of religion or morals, or derogatory to the sacred person of the King and the honour of citizens; for which reason all authors and printers shall be made to put their names to the works they write and print, and shall be regarded as responsible for the said works.

Education. 120. That university studies be reformed and regenerated, the professors paid and the instruction given free, the whole to be carried out after the plans and memoranda which shall be presented by the Universities of the Kingdom (and particularly that from the University of Orleans which will be joined to the present *Cahier*) and discussed by the States-General.

122. That the practice of surgery be made subject to previous study and rigorous examinations. . . .

Rights of Property and other objects of public utility. 134. That an inquiry shall be made concerning the most suitable method of establishing a uniformity of weights and measures throughout the Kingdom.

Nobility and Military Service. 152. That hereditary nobility be not in future attached to the holding of any public offices, commissions or employments.

153. That His Majesty be immediately implored not to grant letters of nobility save for distinguished service and after taking the opinion of the Provincial Estates.

160. That the decrees concerning duels be reformed. . . .

The Church. 161. That His Majesty and the States-General shall be asked to take measures to prevent money from going out of the kingdom in the form of annates or in payment for dispensations from the Roman Curia, and that dispensations shall be granted by the bishops in future.

164. That the wish of the nation be made known to His Majesty, to the effect that no ecclesiastic may enjoy more than one benefice provided it is sufficient to ensure a decent living.

34. THE TENNIS-COURT OATH, 1789

When the States-General met in Versailles, the Clergy and the Nobles refused to meet together in one assembly with the Third Estate [see e.g. Article 1 in Document No. 33] but insisted on sitting in separate houses, so that they could keep their veto on legislation. The dispute on this question led to a deadlock, and in the meantime the Third Estate began to regard itself as being the body representative of the people of France. On June 17th it took the title of National Assembly. When, on June 20th, before the King had surrendered to their claims, the deputies found the assembly hall closed against them, they made their way to the Tennis Court and took the following oath.

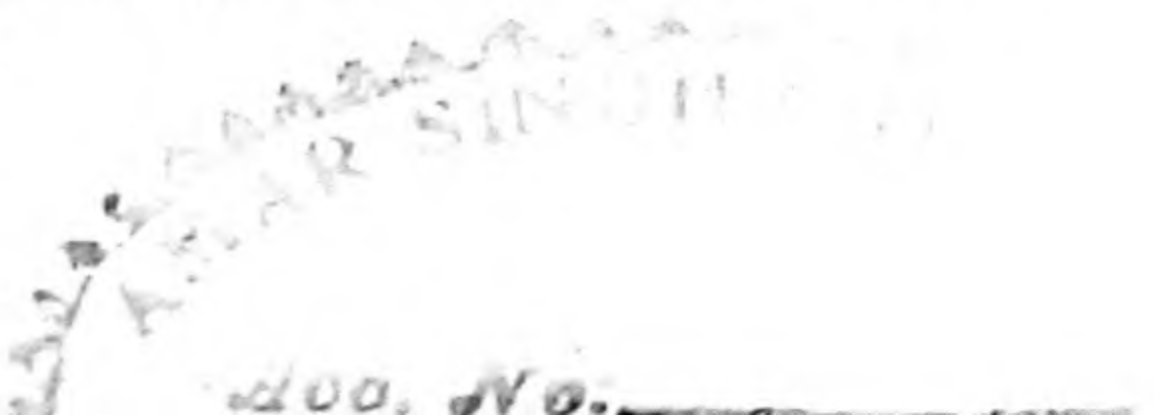
SOURCE—Hélie, p. 22.

THE National Assembly, considering that, since it has been called to fix the constitution of the kingdom, to bring about the regeneration of public order and uphold the true principles of the monarchy, nothing can prevent it from continuing its deliberations in whatever place it may be forced to establish itself; and considering also that wherever its members are brought together, there is the National Assembly;

Decrees that all the members of this assembly shall immediately take solemn oath never to separate, but to assemble wherever circumstances shall demand, until the constitution of the kingdom is established and fixed upon solid foundations, and that the said oath being taken, all the members and each in particular shall by his signature confirm this unshakeable resolution.

35. THE DECLARATION OF THE RIGHTS OF MAN, 1789

From the end of July 1789 the National Assembly, remembering the principles of the American Revolution, and impelled by the popular enthusiasm that followed the taking of the Bastille, set to work on the composition of a Declaration of the Rights of Man; though some deputies had misgivings and said that a declaration of men's duties would have been more opportune. The Declaration disappointed some people; on some crucial points it showed caution. Article 10 on freedom of opinion contained an important reservation. Article 11 on the freedom of the press left the government in a position to make



restrictive laws. Article 17 is typically bourgeois in its deification of property. At the same time the Declaration is much more liberal than the constitution which came into operation in 1791; for the former declared all men equal in rights, while the latter made the franchise and membership of the Assembly depend on a property qualification.

SOURCE—Hélie, pp. 30–32.

THE representatives of the French people, constituted as the National Assembly, considering that ignorance or neglect or contempt of the rights of man are the sole cause of public misfortunes and corrupt government, have resolved by means of a solemn declaration to describe the natural inalienable and sacred rights of man, so that this declaration may be constantly before the eyes of all members of the social group and may never fail to remind them of their rights and duties; that the acts of the legislative and executive authorities may always be referred to what is the aim of every political institution and may gain more regard as a result; also that the complaints of the citizens, being founded on plain incontestable principles from now onwards, may always work to the upholding of the constitution and the happiness of everybody.

Therefore the National Assembly, acting in the presence of the Supreme Being and under His auspices, recognizes and puts forward the following rights of man and of citizenship.

Art. 1. Men are born and remain free and they are equal in rights. Social distinctions have no basis save upon general utility.

2. The aim of every political association is the preservation of the natural and prescriptive rights of man. These rights are liberty, property, security and the right to resist oppression.

3. The original principle of all sovereignty must lie in the nation. No body or individual can exercise any authority that does not definitely emanate from the nation.

4. Liberty consists in the right to do anything which

does not injure anybody else; therefore the exercise of the natural rights of every man knows no limitation, save the ones which are needed to secure the enjoyment of these same rights to the other members of society. And these limits can only be determined by the law. . . .

6. Law is the expression of the general will. All citizens have the right to a share in its creation, either directly or through their representatives. In what it protects as in what it punishes it has to be the same for everybody. And since all citizens are equal in its eyes, they are all equally admissible to all dignities, places and public services, according to their capacity, without any distinction save by reason of their virtues and talents.

7. No man may be accused, arrested or detained save in the cases determined by the law and this only in accordance with the procedure prescribed by law. Those who ask for arbitrary orders or give them or put them into effect shall be punished; but any citizen who is summoned or seized in the name of the law must give his obedience on the spot; and he becomes an offender if he resists. . . .

10. No one may be molested for his opinions, even for his religious opinions, provided that their manifestation does not disturb the public order by law established.

11. The free expression of ideas and opinions is one of the most precious rights of man; every citizen therefore may speak, write and publish what he likes, with the qualification that he shall answer for any abuse which he makes of this liberty where the law has decided that there is abuse.

13. For the upkeep of the forces of the state and for the expenses of administration it is necessary to have a general contribution; it must be shared equally by all the citizens in proportion to their capacities.

14. All the citizens have the right to make their own decision either directly or through their representatives, as to the necessity of this public contribution; it must have their free consent and they shall see to the use which

is made of it, and also to the amount, the incidence, the collection and the duration of the tax.

16. If a society has made no guarantee for rights and has not fixed the separation of powers, it is without a constitution.

17. Since property is an inviolable and sacred right, no man may be deprived of it save when the public requirements, determined by legal channels, make it obviously necessary to do so. Even then it shall be only on the condition that a just and agreed indemnity is given.

36. THE CIVIL CONSTITUTION OF THE CLERGY, 12 JULY 1790

The French Revolution began by having the support of the lower clergy, and in its early stages declarations were made in favour of freedom of conscience; but the confiscation of church property, the payment of the clergy by the State, and the reconstitution of the church by the government produced a conflict between the Revolution and Roman Catholicism; and the refusal of many of the clergy to swear an oath in confirmation of the work of the Revolution brought about religious persecution which did much to intensify feeling and internal dissension. The following is the Church settlement made by the National Assembly on 12 July 1790.

SOURCE—Hélie, pp. 125–33.

CHAPTER I. *Concerning ecclesiastical offices.*

1. Each department shall form one single diocese, and each diocese shall have the same limits and extent as the department. . . .

Chapter II. *Nomination to benefices.*

1. Counting from the day on which this present decree is published, there shall only be one way of filling bishoprics and livings, namely the method of election.

3. The election of bishops shall be carried out in the form prescribed in the decree of 22 December 1789 for the nomination of members of the assembly of the department and shall be made by the electoral body named in that decree.

21. Before the ceremony of consecration begins the bishop elect shall in the presence of the municipal officers, the people and the clergy, take a solemn oath that he will carefully look after the faithful in the diocese entrusted to him, and be loyal to the nation, the law and the King, upholding with all his power the constitution decreed by the Assembly and accepted by the King.

Chapter III. *Payment of ministers of religion.*

1. Ministers of religion, who carry out the first and most important functions in the state, and are compelled to reside continually in the place where they perform the office entrusted to them by the people, shall be paid by the nation.

Chapter IV. *Concerning the law of residence.*

1. The law of residence shall be religiously observed and all those who are holders of an ecclesiastical office or position shall conform with this law, without any exception or distinction.

2. No bishop may be absent from his diocese for more than fifteen consecutive days in any year, except in case of genuine necessity. . . .

37. THE DUKE OF BRUNSWICK'S MANIFESTO, 1792

On April 20th the French declared war on Austria and the Duke of Brunswick's Manifesto, put forward on July 25th, at a time when the Allies had been victorious and regarded their entry into Paris as certain, reached the French capital on July 28th. By treating Frenchmen as rebels who had to submit, and by making threats against the city of Paris, this declaration increased the desperation and psychological strain, helped to turn public opinion against the King, and led to further insurrection and to the revolutionary Commune and the massacre of August 10.

SOURCE—Translation in *Ann. Reg.*, 1792, pp. 229*–31*.

THEIR majesties the Emperor and the King of Prussia, having entrusted me with the command of the combined armies assembled on the frontiers of France, I think it my duty to inform the inhabitants of that kingdom of

the motives which have influenced the conduct of the two Sovereigns, and of the principles by which they are guided.

After arbitrarily suppressing the rights and invading the possessions of the German Princes in Alsace and Lorraine; after having disturbed and overthrown in the interior part of the kingdom all order and lawful government; after having been guilty of the most daring attacks, and having had recourse to the most violent measures, which are still daily renewed against the sacred person of the King, and against his august family,—those who have seized on the reins of government have, at length, filled the measure of their guilt, by declaring an unjust war against his Majesty the Emperor, and by invading his provinces of the Low Countries. Some of the possessions belonging to the German empire have been equally exposed to the same oppression, and many others have only avoided the danger, by yielding to the imperious threats of the domineering party and their emissaries.

His Majesty the King of Prussia united with his Imperial Majesty in the bands of the strictest defensive alliance, and as a preponderant member himself of the Germanic body, could not refuse to march to the assistance of his ally and of his co-estates. It is under this double relation that he undertakes the defence of that monarch and of Germany.

To these high interests is added another important object, and which both the sovereigns have most cordially in view, which is to put an end to that anarchy which prevails in the interior parts of France, to put a stop to the attacks made on the throne and the altar, to restore the King to his legitimate power, to liberty and to safety, of which he is now deprived, and to place him in such a situation, that he may exercise that legitimate authority to which he is entitled.

Convinced that the sober part of the nation detest the excesses of a faction which has enslaved them, and that the majority of the inhabitants wait with impatience the moment when succours shall arrive, to declare themselves

openly against the odious enterprises of their oppressors,—his Majesty the Emperor, and his Majesty the King of Prussia, earnestly invite them to return without delay into the paths of reason and of justice, of order and peace.

It is with this view that I, the under-signed, General Commandant in Chief of the two armies, do declare—

1st. That, drawn into the present war by irresistible circumstances, the two allied courts have no other object in view than the welfare of France, without any pretence to enrich themselves by making conquests.

2nd. That they do not mean to meddle with the internal government of France, but that they firmly intend to deliver the King, the Queen, and the royal family, from their captivity, and to ensure to his Most Christian Majesty that safety which is necessary for his making, without danger and without obstacles, such convocations as he shall judge proper, and for endeavouring to ensure the welfare of his subjects, according to his promises, and to the utmost of his power.

8thly. The city of Paris and all its inhabitants without distinction, shall be called upon to submit instantly and without delay to the King, to set that prince at full liberty, and to ensure to his, and to all the royal persons, that inviolability and respect which are due by the laws of nature and of nations to sovereigns; their Imperial and Royal Majesties making personally responsible for all events, on pain of losing their heads, pursuant to military trials, without hopes of pardon, all the members of the National Assembly, of the department, of the district, of the municipality, and of the national guards of Paris, justices of peace, and others whom it may concern; and their Imperial and Royal Majesties farther declare, on their faith and word of Emperor and King, that if the palace of Tuileries be forced or insulted; if the least violence be offered, the least outrage done to their Majesties the King, the Queen, and the Royal family; if they be not immediately placed in safety and set at liberty, they will inflict on those who shall deserve it, the most exemplary

and ever memorable avenging punishments, by giving up the city of Paris to military execution, and exposing it to total destruction; and the rebels who shall be guilty of illegal resistance shall suffer the punishments which they shall have deserved.—Their Imperial and Royal Majesties promise, on the contrary, to all inhabitants of the city of Paris to employ their good offices with his Most Christian Majesty to procure for them a pardon for their insults and errors, and to adopt the most vigorous measures for the security of their persons and property, provided they speedily and strictly conform to the above injunctions.

Finally, their Majesties, not being at liberty to acknowledge any other laws in France except those which shall be derived from the King when at full liberty, protest beforehand against the authenticity of all kinds of declarations which may be issued in the name of the King, so long as his sacred person, and that of the Queen and the Princes of the whole royal family, shall not be in full safety; and with this view their Imperial and Royal Majesties invite and entreat his Majesty to name a town in his kingdom, nearest to the frontiers, to which he would wish to remove, together with the Queen and the royal family, under a strong and safe escort, which shall be sent for that purpose; so that his Most Christian Majesty may, in perfect safety, send for such ministers and counsellors as he shall be pleased to name, order such convocations as he shall think proper, and provide for the restoration of order and the regular administration of his kingdom. . . .

38. THE EDICT OF FRATERNITY, 1792

The victory of the French at Jemappes and their entry into Brussels was followed by this declaration of 19 *November* 1792.

SOURCE—Hélie, p. 346.

THE National Convention declares in the name of the French nation that it will accord fraternity and assistance

to all peoples who wish to recover their liberty. It charges the executive power to give the generals the necessary orders for bearing help to these peoples and defending citizens who are vexed or are likely to be vexed for the cause of liberty. The present decree shall be translated and printed in all languages.

39. THE COMMITTEE OF PUBLIC SAFETY, 1793

After further French defeats, particularly the battle of Neerwinden, 18 March 1793, the Committee of Public Safety was organized by the following law of the 6th of April. In July it was reconstituted, in accordance with the more extreme policy of Jacobins like Robespierre. Danton was expelled, and on the 24th of July Robespierre became a member. He gained the ascendancy in this body, which gathered practically all business into its hands. The appel nominal *mentioned in the first article was the system by which each member of the Convention was called upon to give his vote separately and publicly.*

SOURCE—Hélie, pp. 367–8.

ART. 1. There shall be formed by *appel nominal* a committee of public safety composed of nine members of the National Convention.

2. The committee will deliberate in secret; it will be charged with the duty of supervising and accelerating the work of administration confided to the provisional executive council, whose decrees it may even suspend if they are contrary to the national interest, provided it informs the Convention of the fact without delay.

3. It is authorized to take measures of external and internal defence in circumstances of urgency; and the decrees signed by the majority of its members in session, who may not number less than two-thirds of the whole, shall be executed without delay by the provisional executive council. It may not in any case issue writs of summons or arrest unless this be against executive agents and on the condition of informing the Convention of the fact without delay.

4. The national treasury shall hold up to one hundred thousand *livres* at the disposition of the Committee of

Public Safety for secret expenses and this sum shall be drawn upon by the Committee and payable upon its orders, which shall be signed like the decrees.

5. It shall issue a general written report on its operations and on the situation of the Republic, every week.

6. Minutes shall be kept of all its deliberations.

7. The Committee is only established for one month.

8. The national treasury shall remain independent of the executive committee and subject to the immediate supervision of the Convention in accordance with the method fixed by the decrees.

VIII

THE NAPOLEONIC AGE

40. PROCLAMATION TO THE ARMY OF EGYPT, 1798

SOURCE—*Corresp. Nap.* 1er, Vol. IV, No. 2710.

Headquarters on board the 'Orient,' 22 June 1798.

SOLDIERS, You are going to carry out a conquest the effects of which upon the civilization and commerce of the world are beyond all calculation.

You will give England the most definite and palpable blow that could be given, pending the day when you are able to give her the death-blow.

We shall make some tiring marches ; we shall be engaged in several battles ; but we shall succeed in all that we undertake, for destiny is on our side.

The Mameluke Beys who give all their favour to English commerce, and have overwhelmed our merchants with humiliations, and who tyrannize over the unfortunate inhabitants of the Nile region, will have ended their existence within a few days after our arrival.

The people amongst whom you are going to live will be Mohammedans ; the first article of their faith is that 'There is no other God save God and Mohammed is his prophet.' لا اله الا الله محمد رسول الله

Do not contradict them ; treat them as we treated the Jews and the Italians ; pay due respect to their muftis and imams, as you did to the rabbis and bishops.

Show the same toleration to the mosques and to the ceremonies prescribed in the Koran, as you showed to

SRI PRATAP COLLEGE

the convents and synagogues, to the religions of Moses and Jesus Christ.

The Roman legions gave protection to all religions. You will find that the customs here are different from those of Europe; however, you must get used to them.

The people amongst whom we are going to live do not treat women as we treat them; but in all countries he who violates is a monster.

Plundering only enriches a small number of men; it dishonours us, and destroys our resources, and it makes us enemies of the people whom it is our interest to have as our friends.

The first town you will come to was built by Alexander. We shall find memories worthy of the emulation of Frenchmen at every step of the way.

41. NAPOLEON AND THE CHURCH, 1801

Napoleon, when he became First Consul, claimed that he had come to power for the healing of parties, and undertook a work of regeneration in the interior of France. It was his policy to combine what he considered the good in the French Revolution with all that was best and soundest in the organization of the ancien régime; *and as he considered religion as necessary for the cohesion of the State, whatever his own personal religious attitude might be, and as he saw further that religion had done much to cleave the parties and inflame opinion in Revolutionary France, he set himself the work of restoring religious peace, and attempted to make such an agreement with the Pope as would preserve as much as was useful in the revolutionary organization of the Church. Having made this agreement, however, in July* 1801 *(document a), he immediately put a strain upon his relations with the Papacy, by issuing the Organic Articles (document b). In these articles the secular state not only makes regulations touching ecclesiastical questions, but does so with a definitely anti-papal bias, continuing the traditions of the Gallican Church and attacking the principles of the Ultramontanes.*

SOURCE—Martens, *Suppt.*, Vol. II, pp. 519–31.

(*a*) THE CONCORDAT, 15 JULY 1801

THE Government of the Republic recognizes that the Roman Catholic Religion is the religion of the Great

Majority of the French People. His Holiness equally recognizes that this same religion has gained and now expects to gain the greatest glory and good from the establishment of the Catholic worship in France and the special profession of it which the Consuls of the Republic are making.

In accordance with this recognition of mutual benefits, they have agreed on the following articles both for the good of religion and the maintenance of internal tranquillity.

I. The Catholic and Apostolic religion of Rome shall be freely practised in France. Its worship shall be public but shall conform with the police regulations which the Government shall deem necessary for the sake of public peace.

II. A new division of France into dioceses shall be carried out by the Holy See in concert with the Government.

III. His Holiness will declare to those who hold the titles to French bishoprics, that he confidently expects them to make all kinds of sacrifices for the sake of peace and concord, and even to give up their sees. If after this exhortation they still refuse to make this sacrifice which they are ordered to make for the good of the church (though His Holiness does not anticipate a refusal) the government of the bishoprics that are established under the new scheme shall be provided for in the following manner.

IV. The first Consul of the Republic, within the three months after His Holiness has published the Bull, shall name the archbishops and bishops who are to act under the new scheme. His Holiness will grant canonical institution in the form that was established in France before the change of government.

VI. Before entering upon their offices the bishops shall take the following oath to the First Consul in person. . . .

'I swear and promise before God and upon His holy gospel that I will show obedience and fidelity to the Government which has been established by the Constitution of the French Republic. I promise also that I

will have no part nor lot in any counsel nor any connection with any league, either at home or abroad, which is contrary to the public peace ; and if in my diocese or outside it I learn that anything is being conspired to the prejudice of the State I will see that the Government is informed of it.'

XIII. His Holiness declares that, for the sake of peace and the happy re-establishment of the Catholic religion, neither he nor his successors will in any way disturb those who have acquired the national lands which had been alienated. Consequently he agrees that the ownership of these said lands, with the rights and revenues that are attached to them, shall remain for ever in the hands of these purchasers, or of those who can show their claim.

XIV. The Government will see that bishops and priests, whose dioceses and parishes are comprised under the new scheme, receive adequate payment.

XV. His Holiness admits the same rights and prerogatives in the First Consul as were enjoyed by the former government.

(*b*) Organic Articles

The regulation of the Catholic Church in its general relations with the law and policing of the State.

1. No bull, brief, rescript, decree, mandate, provision, or document serving as a provision, nor any other communication from the Court of Rome, even though it may concern only private individuals, shall be received, published, printed or otherwise put into execution without Government authorization.

2. No individual calling himself nuncio, legate, vicar or Apostolic Commissioner, or availing himself of any other title, may carry out any office in connection with the affairs of the Gallican Church, whether he do it on French soil or elsewhere, unless he has the same authorization.

3. The decrees of foreign synods, and even of general councils, may not be published in France until the govern-

ment has examined their form and found out whether they are consistent with the laws, rights and franchises of the French Republic and has satisfied itself that their publication will not in any way injure or affect the public peace.

4. No national or provincial council, no diocesan synod, no deliberating assembly shall take place without the express permission of the Government. . . .

Chapter Three.
Concerning Worship.

41. No holiday other than Sunday may be established without the permission of the Government.

45. No religious ceremony shall be held outside the buildings consecrated for Catholic worship, in towns where other religious bodies have places of worship.

48. The bishop will consult the prefect in regard to the ringing of bells for the purpose of calling worshippers to divine service. Bells may not be rung for any other purpose unless the local police have given permission.

42. THE THIRD COALITION, 1805

The Tsar Alexander I, indignant against Napoleon's aggressions, and particularly his treatment of small States, became filled with the quixotic desire to make his appearance on the scene in the rôle of 'Saviour of Europe'. When Napoleon executed the Bourbon Duc d'Enghien in March 1804, the Russian court went into mourning, and there was an exchange of recriminations between St. Petersburg and Paris, which ended in the breaking off of diplomatic relations. Negotiations with England led to the design of forming a European league against Napoleon, the aims of which were embodied in the following Anglo-Russian Treaty concluded on 11 April 1805. Austria showed some hesitation, but Napoleon's assumption of the Crown of Italy and his annexation of the Genoese Republic helped to induce the Court of Vienna to go to war. The famous Napoleonic victories at Ulm and Austerlitz smashed the resulting coalition before the year was out.

SOURCE—Rose, pp. 265-76.

I. As the suffering under which Europe now labours demands prompt remedies, their Majesties the Emperor of

all the Russias and the King of the United Kingdom of Great Britain and Ireland have agreed to concert the means of putting an end to it without waiting for the French Government to carry out further mischief. They have consequently agreed to use the most prompt and efficacious means to form a general league of the States of Europe and to induce them to accede to the present concert, and they have agreed to collect for this purpose a force which shall reach the number of 500,000 effectives, independent of what His Britannic Majesty shall furnish ; which they will vigorously use in order to make the French Government willingly or unwillingly subscribe to the re-establishment of peace and equilibrium in Europe.

II. This league will have as its object the execution of what is proposed in the present concert, that is to say (*a*) the evacuation of Hanover and North Germany, (*b*) the establishment of the independence of the republics of Holland and Switzerland, (*c*) the re-establishment of the King of Sardinia in Piedmont with as considerable an extension of territory as circumstances will allow, (*d*) the future security of the Kingdom of Naples and the total evacuation of Italy, including the Isle of Elba, by the French, (*e*) the establishment of an order of things in Europe which shall effectively guarantee the security and independence of the different states and present a solid barrier against future usurpations.

III. His Britannic Majesty, in order to give his own effective assistance towards the achievement of the happy results of this concert, promises to contribute to the common efforts by the use of his forces by land and sea, and also by the use of those of his vessels which are suitable for the transport of troops. . . . He will furthermore aid the different Powers who shall accede to the concert, by giving subsidies . . . in the proportion of £1,250,000 sterling for every 100,000 regulars employed.

VI. Their Majesties agree that in case such a league is formed as is specified in Article I, they will not make peace with France save by the common consent of all the Powers

who shall be parties to the said league ; and, just as the continental Powers will not recall their forces before the peace, so His Britannic Majesty binds himself to continue the payment of subsidies for the whole duration of the war.

3rd Separate Article.

The high contracting parties have agreed that it comes within the purpose of the present concert to procure a suitable extension of territory for Holland and Switzerland according to circumstances, such as the one-time Austrian Netherlands in whole or in part to the former, and Geneva and Savoy to the latter.

They agree similarly that the arrangements to be made in Europe at the end of the war shall comprise an extension of territory in favour of Austria, such as she has reserved for herself by her Convention with H.M. the Emperor of all the Russias, and shall further comprise acquisitions in favour of other states which shall co-operate in the plans of the present concert, these acquisitions to be proportionate to the efforts of these states in the common cause, and also compatible with the equilibrium of Europe.

6th Separate Article.

. . . The principles [of the concert] are : to do nothing to thwart the national wishes of France in regard to her form of government and nothing to thwart the desires of other countries in which the combined armies shall find themselves employed ; not to take possession of any of the conquests which might be made by one or other of the belligerent parties, before the peace is signed ; and not to take possession of towns and territories captured from the common enemy, save in the name of the country or state to which they belong by recognized right, and in any other case in the name of all the members of the league ; finally, to assemble a general congress at the close of the war for the purpose of discussing the principles of international law and fixing them on a more definite basis than they have unfortunately had hitherto, and also for the purpose of ensuring their observation by the establishment of a federal

system, calculated upon the situation of the various states of Europe.

7th Separate Article.

The two high contracting parties, having agreed to leave nothing undone to induce His Prussian Majesty to accede to the present concert, have realized the necessity of coming to an agreement now, concerning the territorial acquisitions which they will be disposed to concede to the Court of Berlin in return for its efforts on behalf of the common cause. They have however considered that as the power of Prussia has already grown sufficiently, the preservation of equilibrium in Europe demands that these concessions (which in any case shall be dependent on the chances of war) shall consist in the restitution of the country which Prussia ceded to France in the secret Convention of 5 Aug. 1796, with an extension more or less large, which, according to circumstances might even extend to the Frontier which would be left to France on the side of the Low Countries, provided that Prussia should bind herself to form a barrier along with Holland to prevent the extension of French power on this side.

H.M. the Emperor of Russia and the King of the United Kingdom of Great Britain and Ireland similarly promise that in case the acquisitions falling to Prussia shall establish too great a disproportion with those of Austria or other powers of the Continent, they will come to an amicable agreement as to the means of regulating them according to a justly proportionate basis, and in such a way as to prevent their infringing the equilibrium of Europe in any way.

First separate and secret article.

. . . Since the principles of the two sovereigns do not permit them in any event to seek to constrain the free wishes of the French nation, it is by publishing proclamations according as the events of the war shall assure their having weight, that they will seek to dispose that nation to listen to their advice ; and to achieve this more surely they will announce that, whatever happens, the property-owners and the men

in place can count on the peaceable possession of the advantages they have obtained through the Revolution, and that the combined Powers are ready to sanction any form of government that the national desire shall establish in France, provided that it is compatible with the public peace. Although their Majesties realize that for the peace of Europe it is desirable that this should be a monarchical government based on principles of moderation and equity, they will not make any formal proposition on this matter beforehand ; but they will seek to spread and strengthen the conviction in France ; and as soon as the nation shall have pronounced in this sense, the high contracting parties, following her wishes, will come to an agreement as to the conditions they will demand from the person who shall be judged proper to reign in France ; and of these the first shall be that he shall not withdraw any of the promises which he makes to the French nation in virtue of the present article.

43. THE CONFEDERATION OF THE RHINE, 1806

During the period of the 'secularizations', when much of the territory held by the ecclesiastical princes of Germany was annexed to the secular states, Napoleon, acting as mediator, had had the opportunity of re-modelling the map of Germany. In arranging the redistributions of land he had taken care that a number of states on the French border should be so consolidated and grouped together, that they would form a barrier against Austria and Prussia and find it to their interests to lean upon France. After the defeat of the Third Coalition in 1805, Napoleon carried this policy further, and in the following treaty, dated 12 July 1806, he secured that a number of states should break away from the Holy Roman Empire and form a Confederation of which he should be the Protector. The members of this League were bound to go to war along with France whenever Napoleon found himself at war, and this disruption of the Empire naturally led to Francis II's abdication of the ancient imperial dignity.

SOURCE—Martens, *Suppt.*, Vol. IV, pp. 313–26.

I. THE estates of Their Majesties the Kings of Bavaria and Würtemberg, and of Their Serene Highnesses the Elector Arch-Chancellor, the Elector of Baden, the Duke of Berg

and Cleves, the Landgrave of Hesse-Darmstadt, etc. etc. . . . shall be for ever separated from the territory of the German Empire and shall combine in a special confederation called the Confederation of the Rhine.

II. Any law of the German Empire which has hitherto concerned and applied to Their Majesties and Their Serene Highnesses the Kings, Princes and the Count named in the preceding article, or their subjects or states, or any part of them, shall be declared void and of no effect relative to their said Majesties and Highnesses and the said Count [saving the provisions of the Recess of 1803].

III. Each of the Kings and Princes in the Confederation will renounce those of his titles which denote any kind of connection with the German Empire; and on the 1st of August next he will make an announcement to the Diet of his separation from the Empire.

IV. His Serene Highness the Elector and Arch-Chancellor will take the titles of Prince Primate and Most Exalted Highness.

The title Prince Primate does not carry with it any prerogative that would be contrary to the full sovereignty which each of the confederate princes are to enjoy.

VI. The common interests of the Confederation shall be treated in a diet which will sit in Frankfort and will be divided into two colleges, the college of Kings and the college of Princes.

XII. H.M. the Emperor of the French shall be proclaimed Protector of the Confederation, and in this capacity on the death of each Prince Primate he will nominate his successor.

XXVI. The rights of sovereignty shall be those of legislation, of supreme jurisdiction, of high police, of military conscription or recruiting and taxation.

XXXV. There shall be an alliance between the French Empire and the states of the Confederation of the Rhine, taken both singly and collectively, and in virtue of this alliance any continental war which one of the contracting parties may have to wage will immediately become common to the others.

44. THE DECREE OF BERLIN, 1806

Napoleon was never tired of denouncing England for her tyranny over the seas, and in 1800 *he had induced the Tsar to revive the Armed Neutrality League of* 1780, *in protest against England's maritime offences. Thwarted by a war with a sea-power which he could never directly reach, he evolved his Continental System and his plan of boycotting England on the Continent and excluding English trade. In pursuance of this scheme he put forward the Decree of Berlin on the* 21st *of November* 1806 *after his victory over the Prussians at Jena; and he later extended his imperial designs, in order to control more of the European coastline and bring the whole of the continent into his system. But his scheme proved too burdensome even for his allies, and it entailed the carrying out of conquests that were fatal to his Empire.*

SOURCE—**Hélie, pp. 781–2.**

CONSIDERING

1. That England makes no recognition of the law of nations which is universally followed by all civilized peoples;

2. That she counts every individual belonging to an enemy state as himself an enemy, and consequently makes prisoners of war not only the crews of vessels armed for war, but also the crews of trading-ships and merchant-vessels, and even the commercial agents and traders who travel for business purposes;

3. That she extends to the ships and merchandise of traders and to the property of individuals the right of conquest which can only apply to the property of the enemy state;

4. That she extends to unfortified towns and ports of trade, to harbours and the mouths of rivers, the right of blockade which, according to reason and the usage of all civilized peoples, is only applicable to fortified places;

That she declares those places to be in a state of blockade before which she has not even a single warship, although a place is not in a state of blockade unless it is so invested that no attempt may be made to approach it without the incurring of imminent danger;

That she even declares to be in a state of blockade places which all her combined forces would be incapable of blockading, entire coasts and a whole empire ;

5. That this monstrous abuse of the right of blockade has no other object but to impede communications between peoples and raise the commerce and industry of England upon the ruins of the industry and commerce of the continent ;

6. That such being the evident aim of England, whoever trades in English merchandise upon the continent is by this fact furthering her designs and making himself her accomplice ;

7. That this conduct of England—conduct in all ways worthy of the earliest ages of barbarism—has procured the advantage of this power to the detriment of all the others ;

8. That it is a natural right to oppose an enemy with the arms which he himself makes use of, and to combat in the manner in which he combats when he repudiates all those ideas of justice and those liberal sentiments which are the effect of civilization upon human society ;

We have resolved to apply to England the methods which she has sanctioned in her maritime code.

The dispositions of the present decree shall always be considered as a fundamental principle of the empire, until England has recognized that the laws of war are one and the same on land and sea ; that hostilities cannot be extended either to private property of any kind whatever, or to the persons of individuals who are unconnected with the profession of arms ; and that the right of blockade must be restricted to fortified places genuinely invested by forces of adequate strength ;

We have in consequence decreed and do decree the following :

Art. 1. The British Isles are declared to be in a state of blockade.

2. All commerce or correspondence with the British Isles is forbidden. In consequence, letters or packets addressed

either to England or to an Englishman, or written in the English language, will not be allowed to pass through the post and will be seized.

3. All individuals, subjects of England, of whatever state or condition they may be, who are in the countries occupied by our troops or by those of our allies, shall be made prisoners of war.

4. Any commercial establishment, any merchandise, any property of any kind whatever belonging to an English subject, shall be declared lawful prize.

5. Trading in English merchandise is forbidden ; and all merchandise belonging to England or coming from its factories or its colonies is declared to be lawful prize. . . .

7. No ship coming directly from England or the English colonies, or having been there since the publication of the present decree, will be received in any port. . . .

45. THE TREATY OF TILSIT, 7 JULY 1807

After defeating the Russians at Friedland in June 1807, Napoleon met the Tsar Alexander at Tilsit and charmed him into the conclusion of an alliance. In the treaty of peace he secured that the Tsar should offer his mediation for the conclusion of an agreement between France and England, but in the following secret articles of the treaty of alliance he arranged that if England rejected his terms, not only would Russia declare war against her former ally, but a maritime league should be formed, and all the States of Europe should be compelled to break off relations with England, and seal the continent against British merchandise.

SOURCE—*Rus. Hist. Soc.*, Vol. LXXXIX, pp. 60–2.

ART. 4. If England does not accept the mediation of Russia, or if, having accepted it, she has not by the 1st November next consented to conclude peace, recognizing that the flags of all the Powers ought to enjoy equal and perfect independence on the seas, and also restoring the conquests she has made from France and her allies since 1805, when Russia made common cause with her, a note shall be com-

municated to the cabinet of St. James's by the ambassador of H.M. the Emperor of all the Russias in the course of the said month of November. This note will express the interest which His said Imperial Majesty takes in the peace of the world and the intention that he has of using all the forces of his Empire to secure the benefit of peace for humanity; and it will contain the positive and explicit declaration that in the event of England's refusal to conclude peace on the above-mentioned conditions, H.M. the Emperor of all the Russias will make common cause with France; and to provide for the case of the cabinet of St. James's not having given a categoric and satisfactory reply by the 1st of December, the ambassador of Russia will receive the eventual order to ask for his passports on this day, and to leave England immediately.

Art. 5. If the case provided for in the preceding article should arise, the high contracting parties will at the same moment join in summoning the three courts of Copenhagen, Stockholm and Lisbon to close their ports to the English, recall their ambassadors from London and declare war on England. If any of the three courts should refuse, it shall be treated by the two high contracting parties as an enemy, and if Sweden should refuse, Denmark shall be forced to declare war on her.

Art. 6. The two high contracting parties will similarly act in concert and put pressure on the Court of Vienna to adopt the principles set out in Article 4 above—close her ports to the English, recall her ambassador from London and declare war on England.

Art. 7. If on the other hand England makes peace on the above-mentioned conditions within the specified time (and H.M. the Emperor of all the Russias will use all his influence to induce her to do so) Hanover will be restored to the King of England in compensation for the French, Spanish and Dutch colonies.

46. NAPOLEON IN MOSCOW, 1812

Letter written by Napoleon to the Tsar Alexander after the entry into Moscow, and dated 20 Sept. 1812.

SOURCE—*Corresp. Nap. Ier*, Vol. XXIV, No. 19213.

DEAR BROTHER,

Having learned that the brother of Your Imperial Majesty's minister in Cassel was in Moscow, I sent for him and talked with him for some time. I asked him to come to Your Majesty to inform you of my sentiments. The beautiful and superb city of Moscow no longer exists. Rostoptchin has had it burned. Four hundred incendiaries have been captured in the very act, and they have all declared that they were starting the fire by order of the governor and the director of police. They have been shot. The fire seems to have stopped now. Three-quarters of the houses have been burned down and one-quarter remain. This conduct is atrocious and purposeless. Is it intended to deprive us of some possible resources? But these resources were in the cellars and the fire was unable to reach them. Besides, how could anybody destroy one of the finest cities in the world, the work of centuries, for such a feeble end? This is the kind of thing which you have been doing ever since Smolensk, and it has reduced 600,000 families to beggary. The pumps of the city of Moscow had been broken or taken away; part of the arms of the arsenal had been given to criminals, who have compelled us to fire cannon into the Kremlin to drive them off. Human feeling and the interests of Your Majesty and of this great city were in favour of your confiding Moscow to me in trust, since the Russian army had left it uncovered; the administrative offices, the magistrates and the civic guards ought to have been left in their places. This is what was done on two occasions in Vienna, and also at Berlin and Madrid. It is what we ourselves did in Milan on the entry of Suvarov. The fires give rise to pillaging to which the soldiers resort in order to wrest the débris from the flames. If I thought that things like this had

been done by Your Majesty's orders I should not be writing this letter to you; but considering your principles, your humanity and the justness of your ideas I count it impossible for you to have ordered such excesses which are unworthy of a great sovereign and a great nation. While they were carrying away the pumps of Moscow they left 150 pieces of field cannon, 60,000 new guns, 1,600,000 infantry cartridges, over 400,000 *livres* of powder, 300,000 of saltpetre, and similar amounts of sulphur, etc.

I have made war on Your Majesty without animosity; a note from you either before or after the last battle would have brought me to a halt, and for your sake I should have liked to be able to sacrifice the advantage of entering Moscow. If Your Majesty still retains some remnant of your former sentiments, you will take this letter in good part. In any case you cannot but be grateful to me for having let you know what is taking place in Moscow.

IX

RESTORATION AND REACTION

47. THE FRENCH CONSTITUTIONAL CHARTER OF 1814

After the defeat and abdication of Napoleon the Allies were not willing to force a Restoration of the Bourbons unconditionally upon France, and the prestige of the Tsar Alexander, who still had liberal inclinations, gave the idea of constitutional government some weight amongst the Allies, encouraging those people in France who desired that the Bourbons should not regain the throne without giving some guarantee to the principles of the French Revolution. Louis XVIII evaded the inconvenience of having to recover his throne by anything like a bargain or treaty with his subjects, and on the 4th June 1814 granted a Charter as an act of grace, dating it 'the nineteenth year' of his reign; and in that Charter the royalists managed to assert the rights of the King and the principles of Legitimacy while at the same time putting forward certain articles that were reminiscent of the Declaration of the Rights of Man.

SOURCE—Hélie, pp. 884–90

LOUIS, by the grace of God King of France and Navarre, greetings to all who shall read these presents.

Divine Providence, by recalling us to our States after a long absence, has imposed great obligations upon us. Peace was the primary need of our subjects; we have applied ourselves to it with unremitting zeal; and this peace so necessary to France, as to the rest of Europe, has been signed. A Constitutional Charter was required by the actual condition of our Kingdom; we promised it and we are publishing it. We have taken into consideration the fact that although all authority in France resides entirely in the King, our predecessors did not hesitate to

modify its exercise in accordance with changed times. . . . We have had to do justice like our predecessors to the effects of the ever-growing advances of enlightenment, the new social relations that this general progress has implied, the direction given to minds for half a century, and the serious changes which have resulted; we have recognized that the desire of our subjects for a constitutional charter was the expression of a real need; but in ceding to this desire we have taken every precaution to make this charter worthy of us and worthy of the people over which we are proud to rule. . . . While we recognized that a free and monarchical constitution was necessary to fulfil the expectations of enlightened Europe, we had to remember also that our first duty to our people was to preserve, in their very interest, the rights and prerogatives of our crown. We hoped that, instructed by experience, they would be convinced that only a supreme authority can give to the institutions which it establishes the strength, permanence and majesty with which it is itself endowed; that thus, when the wisdom of Kings freely accords with the wishes of peoples a constitutional charter may be of long duration, but when violence snatches concessions from the weakness of government, public liberty is in danger no less than the throne itself. . . .

We have voluntarily and by the free exercise of our royal authority accorded and do accord, and have made concession and grant to our subjects, as much for ourselves as for our successors for ever, of the following Constitutional Charter:

1. Frenchmen are all equal before the law, whatever may be their titles and ranks in other respects.

2. They are to contribute on the same terms, to the expenses of the State, in proportion to their wealth.

3. They are all equally admissible to civil and military offices.

4. Their individual liberty is equally guaranteed, and no person shall be pursued or arrested save in the cases foreseen by the law and in the forms prescribed therein.

5. Each shall have equal liberty in the profession of his religion. . . .

8. Frenchmen have the right to publish their opinions or have them printed, provided they conform to the laws which are needed to repress abuses of this liberty.

12. Conscription is abolished. . . .

13. The person of the King is inviolable and sacred. His ministers are responsible. To the King alone belongs the executive power.

15. The legislative power is exercised collectively by the King, the House of Peers, and the Chamber of Deputies from the departments.

16. The King has the initiative in legislation.

27. The nomination of the peers of France belongs to the King. Their number is unlimited. . . .

54. Ministers may be members of the House of Peers or the Chamber of Deputies. They have furthermore the right of entry into either House, and ought to be heard when they ask for a hearing.

57. All justice emanates from the King. . . .

58. Judges nominated by the King are immovable.

71. The old *noblesse* recovers its titles. The new *noblesse* retains its own. The King can make nobles at will, but he can only give them ranks and honours without any exemption from their social charges and duties.

72. The Legion of Honour is maintained. . . .

48. THE CONGRESS OF VIENNA, 1815: FEDERAL CONSTITUTION OF GERMANY

The treaty of Chaumont between Austria, England, Prussia and Russia (1 Mar. 1814) contained the stipulation that Germany should be given a federal constitution when Europe was restored to peace. Other treaties concluded in this period [e.g. the treaty of Ried, with Bavaria, 8 Oct. 1813] had guaranteed that the separate princes in Germany should not lose their sovereignty when Germany was re-organized. The problem of this reorganization was entrusted by the Congress of Vienna to a committee representing Austria, Prussia, Bavaria, Würtemberg and Hanover; and the work was made more difficult by the unwillingness of certain states to give up any of their

separate rights of sovereignty. Jealousy between Austria and Prussia also complicated the problem. Those who desired to see a united Germany were greatly disappointed by the following Federal Constitution which was signed 5 June 1815 after fifteen months' discussion, and became Annex IX to the Treaty of Vienna.

SOURCE—Martens, Ch. de, Vol. III, pp. 144–52.

ART. I. The sovereign princes and free cities of Germany, including their majesties the Emperor of Austria and the Kings of Prussia, Denmark and the Low Countries . . . establish a perpetual Confederation between themselves which shall be called the *German Confederation*.

II. The aim of this Confederation is the preservation of the internal and external security of Germany, and the independence and inviolability of the confederate states.

III. The members of the Confederation, as such, are equal in rights; they are all equally bound to uphold the act which constitutes their union.

IV. The affairs of the Confederation shall be confided to a federal diet in which all the members shall vote through their plenipotentiaries. . . .

XI. The states of the Confederation promise to defend not only the whole of Germany but also each individual state of the union in the event of its being attacked and they give one another a mutual guarantee of all those of their possessions which are comprised within the union.

When war is declared by the Confederation no member may set on foot private negotiations with the enemy, and no member may make either peace or an armistice without the consent of the others.

The members of the Confederation, while reserving their right to form alliances, bind themselves not to contract any engagement which shall be directed against the safety of the Confederation or of the individual states which are comprised in it.

The confederate states promise similarly not to make war on one another on any pretext. . . .

XIII. There shall be Assemblies of Estates in all the countries of the Confederation.

49. THE SECOND TREATY OF PARIS, 1815

By the first Treaty of Paris, 30 April 1814, France had been allowed to retain the frontiers of 1 November 1792, but did not have to pay a war indemnity and was allowed to keep the works of art she had acquired in her career of conquest. After the relapse which France was considered to have made in the Hundred Days, however, the Allied Powers considered that she was still infected with revolutionary principles, and the following treaty of 20 Nov. 1815 shows the measures which were taken to exact retribution on this occasion, as also to guard against further outbreaks.

SOURCE—Martens, *Nouveau Recueil*, Vol. II, pp. 682–91.

THE Allied Powers, having by their united efforts and by the success of their arms preserved France and Europe from the disturbances with which they were menaced as a result of the last venture of Napoleon Bonaparte and the revolutionary system restored in France for the purpose of bringing that venture to success;

Sharing to-day with His Most Christian Majesty the desire of consolidating that order of things which has happily been re-established in France, by maintaining the royal authority inviolate, and by bringing the Constitutional Charter into effect again; sharing also the desire to bring back those relations of confidence and reciprocal friendship between France and her neighbours, which the disastrous consequences of revolution and the system of conquest had disturbed for so long a period;

Persuaded that this latter aim can only be reached by means of an arrangement which will assure them due indemnities for the past and solid guarantees for the future:

Have, together with H.M. the King of France, considered the means by which this arrangement may be realized; and having recognized that the indemnity due to the Powers could not be either entirely territorial or entirely pecuniary, without causing injury to one or another of the essential interests of France, and that it would be more convenient to combine the two modes so as to avoid these two difficulties, their Imperial and Royal Majesties have adopted this basis for their present negotiations; and being similarly

agreed as to the necessity of keeping a certain number of allied troops in the frontier provinces of France for a fixed period of time, they have agreed to combine the different arrangements that follow from these bases in a definitive treaty of peace. . . .

I. The frontiers of France shall be such as they were in 1790, saving the various modifications that are indicated in the present article. . .

IV. The pecuniary part of the indemnity to be furnished by France to the Allied Powers is fixed at the sum of 700 million francs. . . .

V. Since the state of unrest and fermentation, of which France is bound to feel the effects after so many violent shocks and especially after the last catastrophe, in spite of the paternal intentions of her King and the advantages assured to all classes of his subjects by the Constitutional Charter, demands precautionary measures and temporary guarantees, it has been judged necessary to have military positions along the frontiers of France occupied for a certain period by a corps of allied troops, under the express reservation that this occupation shall not prejudice in any way the sovereignty of His Most Christian Majesty, nor the state of possession which is recognized and confirmed in the present treaty.

The number of these troops shall not exceed 150,000 men. The commander-in-chief of this army shall be nominated by the Allied Powers. . . .

The army destined for this purpose shall be maintained by France. . . .

The duration of this military occupation is fixed at a maximum of five years. It may be terminated before this period if, at the end of three years, the sovereign allies, after having in concert with H.M. the King of France thoroughly examined the situation, the reciprocal interests involved and the progress made in the re-establishment of order and tranquillity in France, agree to admit that the motives which induced them to adopt this measure have ceased to exist. . . .

50. THE HOLY ALLIANCE, 1815

The Tsar Alexander, at the close of the Napoleonic wars, added to his former quixotism a new element of religious enthusiasm, and mystified the statesmen of Europe by proposing the formation of a Holy Alliance between Kings. Some suspicions were aroused by the Tsar's suggestion of a combination of this kind, which, by definition, excluded the Ottoman Porte; and those who did not regard the scheme as nonsense might regard it as a cloak for ambition. Austria and Prussia, however, consented to enter into the plan, the Prince Regent of England excusing himself on the ground that in this country royal acts needed the counter-signature of a minister to make them binding.

SOURCE—F. Martens, Vol. IV, I, pp. 1–7.

THEIR Majesties the Emperor of Austria, the King of Prussia and the Emperor of Russia, as a result of the great events which have distinguished the course of the last three years in Europe and chiefly the benefits which it has pleased Divine Providence to bestow upon the States whose governments have placed their confidence and hope in God alone, have come to the most firm conviction that it is necessary for the Powers in their mutual relations to base their course of action on the sublime truths which are taught by the eternal religion of God our Saviour.

They therefore solemnly declare that the present act has no object in view but to manifest in the face of the Universe their unshakeable determination to take no other rule for their conduct, whether it be in the administration of their respective States or in their political relations with any other government, save the precepts of this sacred religion, precepts of justice, charity and peace, which far from being solely applicable to private life ought on the contrary to have a direct influence on the resolutions of Princes and to guide all their steps, as being the only way in which human institutions can be consolidated and their imperfections put right.

Consequently Their Majesties have agreed upon the following articles:

I. Conformably to the words of Holy Scripture which order all men to look upon one another as brothers, the three contracting Monarchs will remain united by the bonds

of a genuine and indissoluble brotherhood, and, considering one another as compatriots, will lend aid and assistance to one another on every occasion and in every place ; regarding themselves as being in the position of father in relation to their subjects and armies, they will direct them into the same spirit of fraternity with which they themselves are animated, for the protection of religion, peace and justice.

II. Consequently the sole principle in operation either between the said Governments or between their subjects, shall be that of rendering one another reciprocal service, of showing one another unalterable regard in witness of the mutual affection with which they are to be animated, and of considering themselves together as nothing more or less than members of one and the self-same Christian nation, the three Allied Princes only regarding themselves as being delegated by Providence to the government of three branches of one and the same family. That is to say, Austria, Prussia and Russia thus confess that the Christian nation of which they and theirs form part, has really no other Sovereign but Him to whom alone belongs the real essence of power, because in Him alone are all the treasures of love, knowledge and infinite wisdom, that is to say God, our Divine Saviour Jesus Christ, the Word of the Most High, the Word of Life. Their Majesties therefore do with the most tender solicitude recommend to their peoples, as the only means of enjoying that peace which is born of a good conscience and which alone is durable, to strengthen themselves daily in the principles and the exercise of the duties which the Divine Saviour has taught to men.

III. All the powers who shall wish to make solemn avowal of the sacred principles which have dictated the present Act, and who shall recognize how important it is for the happiness of nations which have been too long disturbed, that these truths should henceforward exercise all the influence which appertains to them upon human destinies, will be received with as much eagerness as affection into this Holy Alliance.

51. THE QUADRUPLE ALLIANCE, 1815

The alliance of England, Austria, Prussia and Russia was continued in existence after 1815 *in a form more substantial than the Tsar's Holy Alliance. The following treaty was signed on the* 20 *Nov.* 1815.

SOURCE—F. Martens, Vol. IV, I, pp. 28–34.

SINCE the end of the alliance concluded in Vienna on the 25th March 1815 has been happily achieved by the re-establishment in France of the system which had been momentarily overturned during Napoleon Bonaparte's final bid for power, Their Majesties the Emperor of All the Russias, the King of . . . Great Britain . . ., the Emperor of Austria . . . and the King of Prussia, considering that the peace of Europe is essentially bound up with the consolidation of that order of things, based as it is upon the maintenance of Royal authority and the retention of the Constitutional Charter; and wishing to use all their endeavours to prevent fresh disturbances from troubling the general tranquillity, which is the object of the prayers of mankind and the constant purpose of their strivings . . . have resolved to apply the principles embodied in the Treaty of Chaumont of 1 March 1814, and the Treaty of Vienna of 25 March 1815, in the way most suitable for the present state of affairs, and have decided to fix in advance by a solemn treaty the principles which they propose to follow in order to guarantee Europe from the dangers that might even yet arise. . . .

Art. I. The High Contracting Parties reciprocally promise one another that they will maintain in its full force the treaty signed this day with His Most Christian Majesty [the King of France] and will take care that the stipulations of this treaty, as well as those of the special conventions connected with it, shall be strictly and faithfully carried out in all their extent.

II. Having been engaged in the war which has just finished, for the purpose of maintaining the inviolability of the arrangements made in Paris last year . . . the

High Contracting Parties have judged it meet to renew the said arrangements in the present Act . . . save the modifications introduced in the treaty signed this day with [France] and particularly those by which Napoleon Bonaparte and his family . . . have been for ever excluded from supreme power in France, which exclusion the contracting parties promise by this present Act to keep in full effect, and if necessary with all their forces; and as the same revolutionary principles which sustained the last criminal usurpation may still return in other forms to tear France asunder and so menace the tranquillity of other states, the High Contracting Parties, because they solemnly recognise it to be their duty to redouble their efforts in such circumstances in order to guard the peace and the interests of their peoples, do promise that in the event of the recurrence of such a misfortune they will concert with one another and with his most Christian Majesty, in respect of the measures which shall be judged necessary for the safety of their respective States and the general peace of Europe. . . .

VI. To ensure and facilitate the execution of the present treaty, and to consolidate the close relations which to-day unite the four Sovereigns for the good of the world, the High Contracting Parties have agreed to continue at stated times, either under the immediate auspices of their Sovereigns or through their respective ministers, the holding of conferences for the purpose of discussing the great common interests, and examining the measures which at each of these times will be judged the most salutary for the repose and prosperity of peoples and the maintenance of the peace of Europe.

52. THE ASSASSINATION OF KOTZEBUE, 1819

The assassination of the dramatist Kotzebue by a student named Sand is discussed in the following letter, written by Gentz to Metternich, 1 April 1819. Metternich used the incident to induce the German states to take repressive measures and at a conference in Carlsbad it

was decided to subject the press to a severe censorship, and put the universities under control, while a commission was established to enquire into the supposed revolutionary conspiracy.

SOURCE—Wittichen, Vol. III, pp. 376–80.

. . . THE hatred of the revolutionary party against Kotzebue was inveterate; it had been excited by many causes and it had been fomented by an art that was diabolical. But I am firmly convinced that the first cause of the attack which was made upon his life was essentially and indeed exclusively the view that made him responsible for having excited the hostility of the Emperor Alexander against the popular writers of Germany and the German universities, and having made him unfriendly to liberal ideas. It is well known how much the whole party formerly counted upon this prince; they have, for the rest, given sufficient proof of the fact that the Tsar's apostasy was a terrible blow to them. The result of the mad provocation made to Stourdza, which seemed calculated to put an end to all doubt, robbed these men of their last gleam of hope; agitated by fear and fury in turn they fell into that state of frenzy which impels men to deeds of the greatest monstrosity. Kotzebue, then, was struck down because these madmen in their blindness believed that he was the cause of the defection of a protector upon whom they had founded all their hopes. This explanation of the crime will without doubt occur to the Tsar Alexander himself. In any case he is personally affronted by the crime that has been committed against one of his state councillors, just as he was on a previous occasion when the attack was directed against another of his subjects. His conduct since the excesses of the Wartburg, the language which he has used on every occasion since that time, the principles and sentiments which he displayed before, during and after the conferences of Aix-la-Chapelle, all give reason to hope that he will take a very serious line of action in regard to this matter. I am far from desiring that the explosion should be excessively big and noisy; for this might perhaps be the source of many embarrassments for us. But it

would be fortunate in my opinion if he were to begin by making an unreserved declaration of his own way of thinking, seeing and feeling (which no one could take amiss), and if after that he would try to act, not upon us, for with respect to the object that is to be attained and the manner of viewing the situation we can subscribe in advance to the strongest things he might say or propose, but upon Prussia, Bavaria and Germany in general. . . .

53. THE CONGRESS OF TROPPAU, 1820

The revolution which broke out in Spain in 1820 *quickly spread to Naples, and the movement alarmed the Austrian Government, which felt itself closely concerned in the maintenance of peace and the* status quo *in Italy. The Congress of Troppau was convoked in* 1820 *to discuss the question of intervention and, though England held aloof, the courts of Vienna, St. Petersburg and Berlin issued the following circular on* 8 *December* 1820, *putting forward their principles of intervention. In this way the Holy Alliance began to show itself as a league of kings against peoples.*

SOURCE—*Metternich*, Vol. III, pp. 417–21.

THE events of the 8th of March in Spain, those of the 2nd of July in Naples, and the catastrophe in Portugal were bound to stir strong feelings of fear and grief in all who by their office are called to watch over the maintenance of peace in the various States. At the same time these events could not but lead to a reunion, since they necessitated a joint examination of the measures which ought to be adopted in order to save Europe from all the evils which were threatening to be unloosed.

It was natural that these feelings should be particularly strong in those Powers which had just triumphed over the revolution and now saw it lifting up its head again. Also it was natural that when these Powers had to struggle with it for a third time, *they should have recourse to the very means they had used so successfully in that memorable contest which delivered Europe from the yoke she had borne for twenty years.*

There was every reason for hoping that this union, formed in the midst of the greatest dangers, crowned by the most striking victory and cemented by the negotiations of 1814, 1815 and 1818—that this union which had prepared, established and completed the peace of the world and had delivered the European continent from the military despotism of the representative of the revolution, would be able also to bridle the new power which is not less tyrannical and not less odious, the power of insurrection and crime.

Such were the motives, such the aim of the meeting in Troppau. . . .

The Powers are exercising an incontestable right when they decide to act in common to take precautionary measures against those States in which a political uprising, born of insurrection, is inevitably bound, even if it is only considered in the light of the example that it sets, to lead to the taking up of an attitude hostile to all regular governments and constitutions. The exercise of this right is demanded of them still more definitely when those who have put themselves in this position have sought to spread the evil they have brought upon themselves to the neighbouring countries and have tried to disseminate insurrection and disorder all around them.

This attitude and conduct constitute a flagrant violation of the pact which guarantees to all European Governments not merely the integrity of their territory, but the continuation of peaceful relations such as forbid all ideas of reciprocal offence and injury. . . .

As the revolution in Naples is becoming more deeply rooted every day, and as no other revolution could compromise the peace of neighbouring states in so direct and palpable a manner, . . . it has been agreed that action is necessary in regard to the Kingdom of the Two Sicilies on the lines of the principles recapitulated above. . . .

54. METTERNICH'S CONFESSION OF POLITICAL FAITH, 1820

The following is part of the 'Confession of political faith' which Metternich, the agent and representative of the 'Reaction' 1815–48, *wrote for the Tsar Alexander,* 15 *December* 1820.

SOURCE—*Metternich*, Vol. III, pp. 425–45.

. . . AFTER glancing quickly at the ultimate causes of the present state of society we must indicate in a more definite manner the nature of the evil which threatens suddenly to disinherit mankind of a very real fund of benefits—the achievements of a true civilization—and at the same time to disturb society in the midst of its enjoyment of these benefits. We find this evil completely defined in one word: *presumption*—the natural effect of the rapid march which the human spirit has made towards perfection in so many things.

It is this which at the present day draws so many individuals into the ways of error, for it has become a sentiment almost universal.

Religion, morality, legislation, economics, politics, administration, all seem to have become common property, accessible to everybody. It is imagined that knowledge comes by intuition; experience has no value for the *presumptuous*; faith is nothing to him and in its place he substitutes a supposed 'individual conviction'; and in order to arrive at this conviction, he dispenses with anything like examination and study; for these seem beneath the dignity of a man who considers himself capable of embracing a whole accumulation of problems and facts in one sweep of the eye. *Laws* have no value for him because he has not contributed to their establishment, and because a man of his quality would not stoop to acknowledge limits which were traced out for him by the ignorant and brutal generations of the past. *Power* resides in himself; why should he submit himself to what could have no utility save for men devoid of light and knowledge? The things which according to him were sufficient for the age of immaturity,

could not be suitable for the age of reason and strength and for that stage of universal perfection which the German reformers designate by the essentially absurd idea of the *emancipation of peoples* ! *Morality* alone he does not openly attack, for without it he could not be safe of his own existence for a minute ; but he interprets its essence as he likes and allows everybody else to do the same, provided that he himself is not shot or robbed.

In thus tracing the character of the presumptuous man, we believe we have traced that of the whole society which is composed at the present time of elements of this kind—if the term society can be used of an order of things which really only tends to split the social group into its individual elements and make each man the creator of his own dogma, the arbiter of laws . . . the sole judge of his beliefs, his actions and the principles upon which he purports to regulate his conduct. . . .

The evil exists and it is immense. We do not think we can define it better . . . than we have done in using the word *presumption*—that inseparable companion of half-knowledge, that source of an unmeasured ambition, which is so easy to satisfy in times of unrest and upheaval.

. . . In these four countries [France, Germany, Spain and Italy] the agitated classes are those of the moneyed men, the true cosmopolitans who make sure of their profits at the expense of any order of things whatever ; the civil servants, the men of letters, the lawyers and the individuals who are leaders in public education.

. . . If in connection with individuals the evil is defined by the word *presumption*, we believe that similarly, in applying it to society taken as a whole, it can be described as *a vagueness in ideas which is constantly produced by too great love of generalization*. . . .

55. THE MONROE DOCTRINE, 1823

The Monroe Doctrine is the statement of principle and of policy put forward in President Monroe's Message to Congress on the 2nd of December 1823. It was evoked by Russian claims in Alaska and

by the possibility that the Holy Alliance might try to intervene in Spanish America.

SOURCE—*Ann. Reg.*, 1823, pp. 184*–194*.

. . . AT the proposal of the Russian Imperial Government made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange, by amicable negotiation, the respective rights and interests of the two nations on the north-west coast of this continent. A similar proposal had been made by his Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous, by this friendly proceeding, of manifesting the great value which they have invariably attached to the friendship of the Emperor, and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European Powers. . . .

. . . The citizens of the United States cherish sentiments the most friendly in favour of the liberty and happiness of their fellow-men, on that side of the Atlantic. In the wars of the European Powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded, or seriously menaced, that we resent injuries, or make preparation for our defence. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the Allied Powers is essentially different, in this respect, from that of America. This difference proceeds from that which exists in their respective Governments. And to the

defence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candour, and to the amicable relations existing between the United States and those Powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power, we have not interfered, and shall not interfere. But, with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European Power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between those new Governments and Spain, we declared our neutrality at the time of their recognition; and to this we have adhered, and shall continue to adhere, provided no change shall occur, which in the judgement of the competent authorities of this Government, shall make a corresponding change on the part of the United States, indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the Allied Powers should have thought it proper, on any principle satisfactory to themselves, to have interposed, by force, in the internal concerns of Spain. To what extent such interpositions may be carried, on the same principle, is a question in which all independent Powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy, in regard to Europe, which was adopted at an early age of the wars which have so long agitated that quarter of the globe, nevertheless remains the same; which is, not to interfere

in the internal concerns of any of its Powers ; to consider the government *de facto* as the legitimate government for us ; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy ; meeting, in all instances, the just claims of every Power—submitting to injuries from none. But, in regard to those continents, circumstances are eminently and conspicuously different. It is impossible that the Allied Powers should extend their political system to any portion of either continent, without endangering our peace and happiness ; nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain, and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other Powers will pursue the same course. . . .

X

THE REVOLUTIONS OF 1830

56. THE ORDINANCES OF CHARLES X, 1830

The following are some of the Ordinances of the 25th of July 1830, *which formed the* Coup d'État *of Charles X and precipitated the July Revolution.*

(*a*) ORDINANCE SUSPENDING FREEDOM OF THE PRESS

SOURCE—Hélie, pp. 974-5.

CHARLES, etc.

On the report of our Council of Ministers,

We have ordained and do ordain the following :

1. The freedom of the periodical press is suspended.

2. The provisions of Articles 1, 2 and 9, in Chapter 1 of the law of 21 October 1814 are restored into force. Consequently, no paper or periodical at present published or to be published, whatever the subject-matter with which it deals, may appear, either in Paris or in the provinces, unless both the producers and the printer have separately received our authorization.

This authorization must be renewed every three months.

It may be revoked.

3. The authorization may be provisionally granted or provisionally revoked by the prefects, in the case of papers and periodical or semi-periodical works published now or hereafter in the provinces.

4. Papers and works published in contravention of Art. 2 will be immediately seized.

The machinery and type used for the printing of these shall be placed in official custody or made unfit for use.

5. No work of less than 20 printed pages may appear save with the authorization of our minister for the interior in the case of Paris, and of the prefects in the case of the provinces. Every book of more than 20 printed pages will similarly require authorization, if it does not constitute one single work.

Books published without authorization will be immediately seized.

The machinery and type used for their printing will be placed in official custody or made unfit for use.

6. Reports of legal proceedings and transactions of learned or literary societies require previous authorization if they deal entirely or partly with political questions, and the provisions of Art. 5 are applicable to them.

7. Any enactments which contravene the present law shall be null and void. . . .

(*b*) Ordinance Revising the Electoral Law

Source—Hélie, pp. 975–7.

Charles, etc.

Having resolved to prevent the repetition of those machinations which have had a pernicious influence on the recent conduct of the electoral colleges;

Desiring, therefore, to reform the electoral law, the disadvantages of which have been felt in practice, and to do this in conformity with the principles of the Constitutional Charter;

We have realized the necessity of using the power which belongs to us, to provide for the safety of the State and the repression of all enterprises which are derogatory to the dignity of our crown, by an act of sovereignty;

For these reasons,

Our Council having discussed the matter,

We have ordained and do ordain as follows

2. The qualification for voting and for being elected [to the Chamber of Deputies] shall be decided solely by the amounts for which the elector or the candidate are per-

sonally registered as holders of either real or personal property, in the roll of the land-tax or the personal taxes.

4. The deputies shall be elected and the Chamber shall be renewed in the form and for the period fixed by Art. 37 of the Constitutional Charter [i.e. The deputies shall be elected for five years, one-fifth of their number being renewed every year.]

5. The electoral colleges will be divided into the colleges of *arrondissements* and the colleges of departments.

6. The electoral colleges of *arrondisements* will comprise all the electors whose political domicile is within the *arrondissement*.

The electoral colleges of departments will be composed of the most heavily taxed quarter of the electors of the department.

8. The electoral college of each *arrondissement* will elect as many candidates as there are to be deputies for the department.

13. The college of the department will elect the deputies. Half the number of deputies for the department must be chosen from the general list of candidates submitted by the colleges of *arrondissements*. . . .

20. All discussion and deliberation of any kind shall be forbidden within the electoral colleges.

28. In conformity with article 46 of the Constitutional Charter, no amendment may be made to any law in the Chamber of Deputies, until it has been proposed or allowed by us and has been sent to the [administrative] offices and discussed there.

(*c*) Ordinance Dissolving the Chamber of Deputies.

Source—*State Papers*, XVII, 1003–4.

Charles, etc. . . .

Having been informed of the machinations which were employed in several places in our Kingdom in order to deceive the electors and lead them astray during the recent operations of the electoral colleges;

Our Council having discussed the matter, we have ordained and do ordain as follows:

1. The Chamber of Deputies from the Departments is dissolved.

2. Our Minister for the Interior is charged with the execution of the present Ordinance.

57. THE ACCESSION OF LOUIS PHILIPPE

(*a*) Poster of 30 July 1830

The Duke of Orleans had long been in favour with French liberals, and in 1830 *moderate men who feared a republic or a period of unsettlement, and did not wish to give alarm to neighbouring Powers, looked to him to maintain monarchy in a more liberal form in France, and so endeavoured to make the Revolution correspond to our Revolution of* 1688. *The following anonymous poster appeared in Paris on July the* 30*th, before Charles X had abdicated. It was the work of the moderate party, led by Thiers and Mignet. It was not true that Louis Philippe had 'made a statement' and a later edition of the poster made an alteration in the last paragraph but one, declaring that the Duke of Orleans had not spoken, but must be called upon to do so.*

Source—Text quoted in Lavisse, Vol. IV, p. 378.

Charles X must not be allowed in Paris again: he has shed the blood of the people.

A Republic would expose us to terrible dissension; it would embroil us with Europe.

The Duke of Orleans is a prince devoted to the cause of the Revolution.

The Duke of Orleans has never fought against us.

The Duke of Orleans was at Jemappes.

The Duke of Orleans has worn the republican colours under fire; he alone can wear them now; we do not want any other colours.

The Duke of Orleans has made a statement; he accepts the Charter as we have always wanted it to be accepted.

It is from the French people that he will hold his crown.

(*b*) Louis Philippe's Apology

Louis Philippe had always professed a lack of any ambition, and this is his apology for his conduct in 1830, *addressed to the Austrian Emperor* 19 *August* 1830.

Source—Metternich, Vol. V, pp. 26-8.

Brother monarch, Cousin and Brother-in-law, I have announced my accession to the throne to Your Imperial and Royal Majesty, by the letter which Lieutenant-General Count Belliard will present to you in my name; but I need to speak to you in complete confidence concerning the results of a catastrophe which I should so much like to have prevented.

For a long time I have deplored the fact that King Charles X and his Government did not pursue a course more calculated to satisfy the expectations and desires of the nation. At the same time I was far from having any idea of the amazing events which have just taken place, and I even thought that, failing that frank and loyal attitude, in the spirit of the Charter and in conformity with our institutions, which was so difficult to secure, a little prudence and moderation would have been sufficient to carry that Government for a long time in the way it was going. But since the 8th of August 1829, the new composition of the ministry had greatly alarmed me. I realized to what an extent this ministry was suspected and hated by the nation, and like the whole of France I was anxious about the measures it could be expected to take. Nevertheless, the regard for law and the love of order have made so much progress in France, that resistance to the ministry would probably have gone no further than parliamentary opposition, if the ministry itself in its madness had not given the decisive signal by the most imprudent and audacious violation of the Charter and the abolition of all securities for our liberties, on behalf of which there is scarcely a Frenchman who is not ready to give his life. No excesses have been allowed to degrade this terrible conflict; but it would have been difficult to

avoid some disturbance of our social life, and the same mental exaltation which saved men from disorderliness did at the same time carry them towards experiments in political theory which would have plunged France and perhaps Europe into great calamities. It was in this state of things, Sire, that all aspirations came to be centred in me.

Even those who had been defeated thought me necessary for their safety. Perhaps I was still more necessary to prevent the victors from allowing the victory to turn into discredit. It is for this reason that I have accepted this noble and trying task. I have ignored all the personal considerations which made me wish to be relieved of it, because I felt that the least hesitation on my part might compromise the future of France and the tranquillity of all our neighbours whom it is so important for us to reassure. The title of Lieutenant-General of the Kingdom, which left everything open, aroused dangerous distrust. It was necessary to hasten out of that provisional *régime*, both to inspire the necessary confidence and to save the Charter. . . . Your Majesty will not lose sight of the fact that so long as King Charles X reigned over France I was the most faithful and submissive of his subjects, and it was only when I saw the laws put out of action and the exercise of royal authority completely at an end that I thought it my duty to bow to the will of the nation and accept the Crown to which I was called.

58. THE SEPARATION OF BELGIUM FROM HOLLAND

(*a*) Address of the Provisional Government

The influence of the French Revolution showed itself in Belgium, where in August 1830 *disturbances arose which quickly developed into a general rising. A Provisional Government established itself, and on the* 5*th of October proclaimed Belgium independent of Holland. A National Congress was summoned, and met on the* 10*th of November* 1830. *On this occasion the following Address was given on behalf of the Provisional Government, by its senior member, Potter.*

Source—*State Papers*, Vol. XVII, pp. 1238–41.

GENTLEMEN,

In the name of the Belgian people, the Provisional Government opens the Assembly of the Representatives of the Nation.

These Representatives the Nation has entrusted with the august work of building on the wide and solid foundations of liberty the fabric of the new social order, which shall be the starting-point and the security for enduring happiness for Belgium.

You are aware, Gentlemen, that at the time of our union with Holland, a Fundamental Law was presented to the Notables, designed by the authorities not to be examined, discussed, modified and finally accepted, so as to be the condition of a Pact between the People and the Head of the State, but merely to be accepted blindly or rejected in its entirety. It was rejected, as might have been foretold, by the good sense and loyalty of Belgium. But by an unparalleled trick it was declared accepted; and a Constitution imposed by Holland was forced upon our Country.

Even so, if this Fundamental Law had been honestly carried out in all its provisions, perhaps in the course of time and with the help of that progress which we were making in the career of constitutional opposition as a result of the arbitrary conduct of ministers, it might have become the hope of Belgian liberty.

On the contrary: consciences violated; education fettered; the press doomed to be either the tool of authority or reduced to silence; the arbitrary substitution of a Despotic *régime* in the place of the legal system established by the social Pact; the right of petition disregarded; the confusion of the [governmental] powers and their combination in one person; the despotic establishment of a privileged language; the irremovability of Judges who were reduced to being the agents of power; the complete absence of the security which comes from publicity and trial by jury; an enormous debt and expenditure, the only dowry which Holland brought at the time of our

deplorable union; taxes which are crushing both by their size and still more by their thoroughly anti-democratic distribution, completely to the disadvantage of the poorer classes; Laws always voted by the Dutchmen and with only the interests of Holland in view—always against the interests of Belgium, which was so unfairly represented in the old States-General; the seat of all the great constituted assemblies and all the important offices established in Holland, too; the scandalous squandering of money specially intended to favour industry; and finally, the most revolting partiality in the distribution of civil and military offices, by a Government in whose eyes the name of Belgian was a term of contempt; in sum, the whole of Belgium treated as a conquered Province or a Colony; everything, Gentlemen, made revolution necessary, and made it inevitable, and hastened its occurrence.

Grievances so just and genuine were bound also to ensure its success.

We have risen against despotism in order to win back our rights; we were treated as Rebels by our tyrants. Our towns were burned, the most barbarous crimes were committed even against old men and women, the laws of humanity and the laws of war were trampled under foot, and these things testify to the ferocity of our Foes, and at the same time sanctify the victory of the People which has cleared them out of the land.

The fruit of this victory was Independence. The People has announced this through us. As the interpreter of its desires, the Provisional Government has called you, Gentlemen, the elected representatives of the Belgian Nation, to constitute this Independence and consolidate it for ever. . . .

(*b*) The Neutrality of Belgium

As Belgium had been united with Holland in the Treaty of Vienna of 1815 *the Great Powers had to sanction the separation of the two countries and took care to do this without sacrificing those European interests for which the Congress of Vienna had endeavoured to make*

provision. It was recognized very soon that their object could only be secured by establishing and guaranteeing the neutrality of Belgium. The following is the Article by which the five Great Powers individually guaranteed in a Treaty with the Netherlands the terms upon which the separation of Belgium from Holland was finally arranged on the 19th of April 1839. A similar article was inserted as Article I in a Treaty concluded on the same day with Belgium. It is followed here by the VIIth of the Articles which were brought under the guarantee; which Article was also accepted by the German Confederation in its Act of Accession to these arrangements. The two represent the 'Scrap of Paper' which was torn up in 1914.

SOURCE—Martens, *Nouvelle Série*, Vol. VII, pp. 773–777.

Article II of the Treaty of 19 April 1839

H.M. the King of the French, H.M. the Emperor of Austria, King of Hungary and Bohemia, H.M. the Queen of the United Kingdom of Great Britain and Ireland, H.M. the King of Prussia and H.M. the Emperor of all the Russias, declare that the Articles mentioned in the preceding clause [relating to the terms upon which Belgium was to be separated from Holland] are to be considered as having the same force and validity as if they were inserted word for word in the present Act, and are therefore placed under the guarantee of their said Majesties.

The VIIth of the Articles referred to in the above clause.

Belgium within the limits indicated . . . shall constitute an independent and perpetually neutral State.

It shall be required to observe the same neutrality towards all other States.

59. THE POLISH REVOLUTION

The Polish Revolution broke out in November 1830, the Grand-Duke Constantine was driven out of Warsaw, and a Provisional Government was established. The Poles decreed the deposition of the Tsar Nicholas, but in 1831 they had to carry on a bitter struggle against the Russian forces under Diebitsch. On April the 30th they issued the following circular to foreign Powers, in the hope of securing the recognition of their independence, even though they could not be sure that they would be able to maintain it by force of arms.

SOURCE—Translation in *Ann. Reg.*, 1831, pp. 414*–7*.

RECENT military events having freed the capital, and the whole of the right bank of the Vistula, from the attacks of the enemy, I deem it a duty to request you to use every possible effort to convey to the Government to which you are accredited, the wishes of the Polish nation. It is a received principle in Europe, that the independent existence of every country is founded on those rights which have once been recognized, as well as in the formation of a domestic force capable of protecting and maintaining it. When the question of right is co-existent with that of fact, both yield to each other reciprocal support. The former existence of Poland, her relations with other states, are sufficiently known, nor can the three partitioning Powers question their historical accuracy, for they must retain a recollection of the intimate relations which Poland formerly maintained with them, of the services that she rendered them, or of the reverses which she forced them to endure. If, then, we consult the history of our country, or that of Europe, it will be seen that the right of the Poles to a national and independent existence is incontestable. It is true that at the close of the last century the three partitioning Powers, after having confederated for our ruin, destroyed that independence; but that act has been designated throughout the world as spoliation and political crime; that act could neither annihilate ancient rights nor create new ones. Thus, even after the success of the conspiracy of the three courts, the voice of Europe, in raising itself in favour of the rights of Poland, proclaimed them to be imprescriptible; but although they preserved their full vigour, they could no longer be exercised in the political world, invested with their external attributes.

Recent events have changed this state of things. An insurrection, distinguished for its energy and exemption from every excess, has severed the bonds which connected Poland with Russia. The kingdom is now subject only to a national government, unanimously chosen by a diet, the members of which, it is worthy of remark, were all elected under the Russian Government. That diet has

intrusted the public affairs to persons the most eminent, both for birth and popularity, and whose political career affords the best guarantee to Europe. The diet has thus secured, in the strongest way possible, those monarchical institutions which the two Chambers have declared as best suited to the wishes and the wants of the nation. The national government of the Kingdom encounters no opposition in the exercise of its authority; its orders are executed with the utmost zeal, in every part of the Kingdom unoccupied by the enemy. The Polish troops, the armed representation of the opinions, of the desires, and of the power, of the nation, after three glorious, but deadly conflicts, after having sustained dreadful losses, have again completed their full numbers. Their confidence in their own resources has increased them, and that heroic army responds to the hopes that the national government reposes in them. We are now independent in the strongest sense of the term, and the question of fact is no longer in opposition to the question of right. The dangers which may hereafter threaten us, and which to-morrow may threaten the liberty and the glory of other powers in Europe, cannot in any respect alter our real position, nor can they prevent us from proclaiming at this moment that we are independent. It is, therefore, admissible for us to claim from other governments the recognition of our independence—to claim it in the name of the most sacred rights, which Europe has unanimously declared to be imperishable.

If Belgium, which never ranked among states—if Greece, whose political existence has been annihilated for ages—have obtained, among all the uncertainty of war, the recognition of their independence, I ask if Poland has not stronger grounds for her pretensions. . . . The treaty of Vienna, when uniting the Kingdom of Poland to Russia, assured to us a national individuality, and a constitutional government. . . . The Emperor of Russia has been the first to violate that treaty by overthrowing in the Kingdom the principal constitutional securities, in smothering all

national spirit in the Polish provinces, in prohibiting even the use of our language. . . .

60. PALMERSTON AND THE ABOLITION OF THE POLISH CONSTITUTION

Warsaw capitulated in September 1831, *and the Poles were punished by the abrogation of their constitution. The following document* (*b*) *is part of a despatch of Lord Palmerston, dated* 23 *November* 1831, *showing the attitude of the British Government to the question of the Polish constitution. It is elucidated by document* (*a*) *which gives Article I of the Treaty of Vienna of June* 1815—*the Article to which Palmerston is alluding.*

SOURCE—Ch. de Martens, Vol. III, p. 62.

(*a*) ARTICLE I OF THE TREATY OF VIENNA

THE Duchy of Warsaw, saving those provinces and districts which have been otherwise disposed of in the following Articles, is joined to the Russian Empire. It shall be irrevocably attached to this Empire by its constitution, so as to be possessed by H.M. the Emperor of All the Russias, and his heirs and successors for ever. H.I.M. reserves the right to give this state, which shall have a separate administration, the internal development which he may think fit. He will adopt along with his other titles that of Tsar, King of Poland, according to the accustomed form which has been followed in the case of those titles which are attached to his other possessions.

Those Poles who, [on the other hand,] are the [direct] subjects of Russia, Austria and Prussia respectively, shall receive representative and national institutions adapted to that form of political life which each of the governments to which they belong shall judge useful and convenient to grant to them.

(*b*) PALMERSTON'S INTERPRETATION

SOURCE—*Corresp. respecting Poland*, pp. 7–10.

MY LORD,

I have received your Excellency's despatches reporting the opinion which prevails in St. Petersburgh that some

considerable change is intended to be made in the Constitution of the Kingdom of Poland. . . .

Your Excellency was instructed in a former despatch to state that H.M.'s Government could not see with indifference the Poles deprived of the advantages which had been secured to them by the Treaty of Vienna. These advantages consisted in the stipulation that a Constitution should be granted to them, and in the Constitution which, in consequence of that stipulation, they afterwards received from the Emperor Alexander.

H.M.'s Government is not unmindful of the arguments which you state to have been adduced to prove that the Polish Constitution is in no degree identified with the Treaty of Vienna ; but the validity of this reasoning cannot, as it appears to them, be maintained.

The Treaty of Vienna declared that the Kingdom of Poland should be attached to Russia by its Constitution. A Constitution the Emperor of Russia accordingly gave ; and it surely is no forced construction of the meaning of that Treaty to consider the Constitution so given as existing thenceforth under the sanction of the Treaty. But it is argued that the same Power which gave may modify or take away. This, however, is an assertion for which no proof is afforded. The Constitution once given, became the link which, under the Treaty, binds the Kingdom of Poland to the Empire of Russia ; and can that link remain unimpaired, if the Constitution should not be maintained ?

Had the Constitution reserved to the Sovereign a right to change or modify, no objection could then have been made to the exercise of a power which would legally have been his. But the Constitution carefully guards against any such acts of executive authority. It declares (Article 31) that the Polish nation shall for ever possess a national Representation, consisting of a Diet, composed of a King and two Chambers ; it declares (Article 163) that the Organic Statutes and the Code of Laws cannot be modified or changed, except by the King and the two Chambers ; it requires (Article 45) that every King of Poland shall

swear before God and upon the Scriptures, to maintain the Constitution, and cause it to be executed to the best of his power; and the Emperor Alexander on the 27th November 1815 formally gave this Constitution, and declared that he adopted it for himself and for his successors.

Such are the provisions of the Constitution, which points out the authority by which any change or modification is to be made; and changes arbitrarily effected by the executive authority alone would obviously be violations of the Constitution.

. . . [The Treaty of Vienna] clearly appears to draw a distinction between the system of government to be established in those parts of Poland which had been annexed as provinces to Austria, Prussia, and Russia, and had been incorporated in their respective dominions, and that part which was to form the separate Kingdom of Poland, and which was to be placed, as such, under the same Sovereign as Russia, and secured in the enjoyment of its distinct rights and privileges.

XI

THE REVOLUTIONS OF 1848

61. THE PROCLAMATION OF THE FRENCH REPUBLIC, 1848

Although the Revolution of 1830 *had led to the expulsion of Charles X and the legitimate Bourbon line, the monarchy of Louis Philippe itself in turn lost the affections of the people. Its foreign policy had been uninspiring and unsuccessful. The government of Guizot had become unpopular and conservative, and there was bribery and corruption. The forbidding of a political banquet in February* 1848 *led to disturbances which brought about the abdication of Louis Philippe, and a Provisional Government was formed, which decided in favour of a Republic, issuing the following proclamation on the* 26 *February* 1848.

SOURCE—*Actes officiels*, p. 11.

CITIZENS,

Royalty under any form whatsoever is abolished.

No more Legitimism, no more Bonapartism, no regency.

The Provisional Government has taken all the measures that are necessary to make the return of the old dynasty or the accession of a new dynasty impossible.

The Republic is proclaimed.

The country is united.

All the forts which surround the capital are with us.

The brave garrison of Vincennes is a garrison of brothers.

Let us venerate that old republican flag whose three colours went round the world in the days of our fathers.

Let us show that this symbol of liberty, equality and fraternity is at the same time the symbol of order, and of the most real and durable kind of order, since justice is its base and the whole people is its instrument.

The people has already understood that the provisioning of Paris demanded freer movement in the streets of Paris, and the hands which raised the barricades have in several places made an opening in these barricades large enough for the free passage of transport-wagons.

Let this example be followed everywhere; let Paris recover its customary aspect, and commerce its activity and confidence; let the people watch over the maintenance of its rights and at the same time continue to ensure tranquillity and public security, as it has done hitherto.

62. THE RIGHT TO WORK, 1848

One of the causes of the discontent which produced the Revolution of 1848 in France was the rise of socialistic ideas among the workmen in Paris and other large towns. When the Republic was proclaimed the Provisional Government averted a conflict with this section of the population by allying itself with the movement and admitting some of its leaders—Louis Blanc, for example—into the Government. The 'right to work' was proclaimed in the following announcement of the 25th of February 1848, and the Government found itself forced to make concessions to labour. National workshops were erected, and a large number of workmen entered them, but the economic effect was disastrous and the Socialists were still left unsatisfied. Disorders and riots ensued, and were put down by General Cavaignac, and the national workshops were abandoned.

SOURCE—*Actes officiels*, p. 9.

THE Provisional Government of the French Republic promises to guarantee that the worker shall earn a livelihood;

It promises to guarantee work for all citizens;

It recognizes that workers ought to combine in order to enjoy the legitimate fruits of their labour.

The Provisional Government gives up the million that is saved out of the civil list to the workers to whom it belongs.

63. THE CIRCULAR OF LAMARTINE, 1848

Lamartine, who led the Provisional Government in 1848, undertook the direction of its foreign policy, and issued the following circular in

order to assure foreign Governments that revolution was not necessarily allied with aggression, as the history of the years 1789 to 1815 had made many people believe.

SOURCE—Ronchaud, Vol. II, pp. 294-301.

. . . THE French Revolution has just reached its final stage. France is a Republic, and the French Republic does not need to be recognized by other Powers before it comes into existence. It stands on the law of nature, and it exists by a national right. It is the will of a great people, a people who need no rights outside themselves. At the same time the French Republic desires to enter into the family of constituted governments as a recognized Power and not as a momentary disturbance within the European system, and for this reason it would be useful if you would promptly inform the Government with which you reside of the principles and tendencies which will govern the future foreign policy of the French Government.

The proclamation of the French Republic is not an act of aggression against any form of government in the world. . . . The various kinds of government—monarchical, aristocratic, constitutional and republican—are expressions of the genius of peoples according to the degree of maturity which has been reached. . . . To the true statesman Monarchy and Republic do not represent absolute principles fighting to the death: they are concrete realities which make for variety, and they can understand and respect one another when they exist side by side.

War, then, is not the principle of the French Republic, though it became an unavoidable but glorious necessity in 1792. Between 1792 and 1848 half a century has passed. To return after the lapse of fifty years to the principles of 1792 or to principles of conquest and empire would not be progress; it would be putting back the clock. . . .

The French Republic then will not start a war with anybody. There is no need to say that it will accept war if the French people are asked to submit to conditions that require it. The idea of the men who govern France

at the present moment, is that France will be lucky if war is declared against her and as a result she has to raise her power and glory still higher in spite of her moderation; but it will be a terrible responsibility for her if the Republic itself begins a war without being provoked by other Powers. . . .

The treaties of 1815 are no longer law to the French Republic; nevertheless the territorial settlements in those treaties are a fact which we accept as fundamental and will take as our starting-point in our discussions with other nations.

But . . . if it should appear to us that in the decrees of Providence the hour of reconstruction has come for some of the oppressed nations in Europe or elsewhere; if Switzerland, which has been a faithful ally to us since the time of Francis I, should be constrained or threatened in that process of development which she is undergoing, and which is making still another member to add strength to the group of democratic governments; if the independent states of Italy should suffer invasion, if limits or obstructions should be imposed upon their internal changes, or if any compulsion should be used to prevent their mutual alliance for the creation of an Italian people, the French Republic would believe itself entitled to resort to arms for the purpose of protecting these justifiable movements of nationality, these legitimate signs of growth.

64. THE REJECTION OF THE CROWN OF GERMANY BY THE KING OF PRUSSIA, 1849

The States of Germany caught the example of France in 1848 *and revolutionary outbreaks occurred on all sides; but apart from the desire for internal reforms the Liberal programme in Germany included the demand for unity and for a national government, and this aspect of the movement sprang from the old dissatisfaction with the Federal Constitution of* 1815. *A National German Parliament met in Frankfort on the* 18*th of May* 1848, *and drew up a constitution and a list of 'fundamental rights'. A strong party among the Liberals looked to Prussia rather than Austria for German leadership, and the Parlia-*

ment offered the crown to Frederick William IV; but he distrusted the democratic elements in this movement, which had been born of revolution, and he did not care to involve himself with Austria. So, on the 4th of April 1849, he returned the following reply to the deputation from the Frankfort Parliament.

SOURCE—Killisch, pp. 96-7.

GENTLEMEN, The message which you have come to give me has deeply moved me. It has turned my eyes to the King of Kings and has reminded me of the sacred and august duties which fall to me as the King of my people and as a Prince among the mightiest of Germany. Looking at things in this way, gentlemen, gives clearness to the vision and makes one's heart assured.

In the resolution of the German National Assembly which you have communicated to me I recognize the voice of the representatives of the German people. This call which you make upon me gives me a title which I know how to prize. It demands incalculable sacrifices from me, if I accept it, and it burdens me with heavy duties. The German National Assembly has counted on me for everything which is required for the establishment of the unity and strength of Germany. I feel honoured by their confidence, and ask you to express to them my gratitude for it. I am ready to prove by my actions that their reliance on my fidelity, my love and my devotion to the cause of my country has not been misplaced. But, gentlemen, I should not justify that confidence—I should not answer the expectations of the German people, I should not be upholding the cause of German unity—if I violated sacred rights and broke the explicit and solemn promises I had given before, by omitting to gain the voluntary assent of the Crowned Heads, Princes and Free States of Germany, before taking a resolution that is bound to have such decisive consequences for them and for the German people they rule over. It will now lie with the several governments of the German States to take common counsel and see whether the Constitution which has been drawn up will be of advantage to every-

body, and whether the rights it confers on me will enable me to do what this call demands of me—will enable me to guide the destinies of Germany more effectively and so fulfil the hopes of her people. But of this Germany may be certain, and you gentlemen may declare it in all your provinces—that if she needs the shield and sword of Prussia to protect her from enemies either at home or abroad, I will not fail her, and I will come without being called. I will with confidence follow the path which my royal house and my people always follow. It is the path of honour and fidelity.

65. THE HUNGARIAN DECLARATION OF INDEPENDENCE, 1849

The revolutions of 1848 *were fatal to the system of Metternich, and the leader of the European reaction fled to England after an outbreak in Vienna. In Hungary the outbreaks were national as well as liberal, and gained a great measure of success not only through the difficulties of the Habsburgs in Austria but also through the inspired leadership of Kossuth, who sought to free his country from Habsburg rule altogether. The rebellion reached its climax in April* 1849 *when the Declaration of Independence was issued and Kossuth was placed at the head of a Provisional Government.*

SOURCE—Translation in *State Papers*, Vol. XXXVIII, pp. 1136–7.

1. HUNGARY, with Transylvania as legally united with it, and the possessions and dependencies, are hereby declared to constitute a free independent Sovereign State. The territorial union of this State is declared to be inviolable and its territory to be indivisible.

2. The House of Hapsburg-Lorraine, having by treachery and perjury, and levying of war against the Hungarian nation, as well as by its outrageous violation of all compacts in breaking up the integral territory of the kingdom, in the separation of Transylvania, Croatia, Slavonia, Fiume, and its districts, from Hungary; farther, by compassing the destruction of the independence of the country by arms, and by calling in the disciplined army of a foreign Power for the purpose of annihilating its

nationality by violation both of the Pragmatic Sanction and of Treaties concluded between Austria and Hungary, on which the alliance between the 2 countries depended, is, as treacherous and perjured, for ever excluded from the Throne of the United States of Hungary and Transylvania, and all their possessions and dependencies; and [is] hereby deprived of the style and title, as well as of the armorial bearings belonging to the Crown of Hungary, and declared to be banished for ever from the united countries and their dependencies and possessions.

They are therefore declared to be deposed, degraded, and banished for ever from the Hungarian territory.

3. The Hungarian nation, in the exercise of its rights and sovereign will, being determined to assume the position of a free and independent State amongst the nations of Europe, declares it to be its intention to establish and maintain friendly and neighbourly relations with those States with which it was formerly united under the same Sovereign, as well as to contract alliances with all other nations.

4. The form of Government to be adopted for the future will be fixed by the Diet of the nation. . . .

66. RUSSIA AND THE HUNGARIAN REVOLUTION, 1849

The Russian Government gained the hatred of European Liberals in 1849 *by coming to the help of the Habsburgs, and in particular by assisting in the suppression of the Hungarian revolt. Count Nesselrode, the Russian Chancellor, defends the conduct of his court in the following despatch, written on the* 9*th of May* 1849.

SOURCE—*State Papers*, Vol. XXXVIII, pp. 1102–4.

THE insurrection in Hungary has made so much progress of late and has developed to such an extent that Russia cannot remain an indifferent spectator any longer. Owing to the temporary insufficiency of the Austrian forces, spread as they are over so many places where they are needed to defend the frontiers of the Empire, the principal

body of the insurgents has been able to advance step by step from the Theiss to the Danube. . . . Their revolutionary projects have swollen in magnitude in proportion to the success of their arms. . . . Such a state of things cannot continue without compromising our most essential interests. It is bound to produce complications which common prudence commands us to forestall.

The immediate difficulties of the Austrian Government prevent it from raising sufficient forces to deal with the rebels at the moment, without putting other and not less important parts of its territory in danger. It has therefore appealed to the Emperor and formally requested him to give assistance in the immediate suppression of a rebellion which endangers the tranquillity of two Empires. It was natural that the two Cabinets should come to an agreement on this point of common interest, and in consequence of the understanding that has been reached, our troops have advanced into Galicia, so that by means of their co-operation this nursery of revolution may be more promptly destroyed.

We trust that the motives of our action will not be misunderstood by those Governments which have the same interest as we have in the maintenance of that social order which has been overturned in Hungary by the most outrageous agitation, and has been endangered in the same way in the neighbourhood of Hungary. The Emperor is very sorry to have to abandon the passive and waiting rôle which he had hitherto adopted ; but at the same time he is not departing from the spirit of his previous declarations. For when he declared his recognition of the fact that all States had the right to arrange their political constitutions as they thought fit, and when he scrupulously refrained from interfering with any alterations they might make in their form of government, or their internal organization, H.M. always took care to reserve his full freedom of action in case the after-effects of revolutions in his neighbourhood should imperil his own security or menace the political equilibrium on the frontiers of his own Empire.

Our internal safety is endangered by what is now doing and preparing in Hungary. The fact is clearly proved by the avowed plans and aims of the insurgents themselves. Also, any attack of theirs upon the integrity and unity of the Austrian monarchy would be an attack on the state of possession which H.M. deems necessary both for the equilibrium of Europe and for the safety of his own States—a state of possession which it is in both the spirit and letter of his Treaties to maintain. Even supposing that passing circumstances should allow an independent Hungary to enjoy a brief term of existence, it must be clear to every one who is acquainted with the power and resources of Austria, that such a State can have no hope of permanence. At the same time if it is allowed to rise even for a short period upon the anarchy which is its real basis, it constitutes a great danger for us, especially considering the spirit of hostility to Russia which animates its leaders. We dare not allow the movement to extend any further. In protecting his Polish and Danubian provinces from the scourge of this propaganda which is organized to disturb them, and in giving the Austrian Government the help which it has claimed, so that we may hasten as much as possible the re-establishment of peace in this part of its territory, the Emperor flatters himself that he is acting not only in his own interests, but also in the interest of European peace and tranquillity.

XII

ITALY AND THE PAPACY

67. MAZZINI AND YOUNG ITALY

In 1830 *Mazzini was imprisoned for his connexion with the Carbonari and, while in prison, he became aware of the mission to which he was called on behalf of Italy. He was dissatisfied with the Carbonari, who indulged in childish ritual, and he decided to found a new society more positive in its aims. So at the age of twenty-six he founded the society of Young Italy, for the purpose of unifying the peninsula under a republican form of government, and in* 1831 *he wrote his famous letter to the Sardinian King, Charles Albert, who had just ascended the throne, exhorting him to take the lead in the fight for Italian independence. Shortly afterwards there appeared the following* General Instructions for the Members of Young Italy, *to which was appended the oath that the members had to take.*

SOURCE—*Mazzini*, Vol. I, pp. 96–113.

SECTION 1. Young Italy is a brotherhood of Italians who believe in a law of *Progress* and *Duty*, and are convinced that Italy is destined to become one nation—convinced also that she possesses sufficient strength within herself to become one, and that the ill success of her former efforts is to be attributed not to the weakness, but to the misdirection of the revolutionary elements within her—that the secret of force lies in constancy and unity of effort. They join this association in the firm intent of consecrating both thought and action to the great aim of re-constituting Italy as one independent sovereign nation of free men and equals.

Section 2. By Italy we understand—1. Continental and peninsular Italy, bounded on the north by the upper

circle of the Alps, on the south by the sea, on the west by the mouths of the Varo, and on the east by Trieste; 2. The islands proved Italian by the language of the inhabitants, and destined, under a special administrative organization, to form a part of the Italian political unity.

By the Nation we understand the universality of Italians bound together by a common Pact, and governed by the same laws.

Section 3. *Basis of the Association.* . . . The aim of the association is revolution; but its labours will be essentially educational; and it therefore declares the principles upon which the national education should be conducted, and from which alone Italy may hope for safety and regeneration. . . .

Young Italy is *Republican* and *Unitarian.*

Republican. . . . Because all true sovereignty resides essentially in the nation, the sole progressive and continuous interpreter of the supreme moral law. . . .

Because the monarchical element being incapable of sustaining itself alone by the side of the popular element, it necessarily involves the existence of the intermediate element of an aristocracy—the source of inequality and corruption to the whole nation. . . .

Because, when monarchy is not—as in the Middle Ages—based upon the belief, now extinct, in right divine, it becomes too weak to be a bond of unity and authority in the state.

Because the inevitable tendency of the series of progressive transformations taking place in Europe, is towards the enthronement of the republican principle and because the inauguration of the monarchical principle in Italy would carry along with it the necessity of a new revolution shortly after.

Young Italy is republican because practically there are no monarchical elements in Italy. We have no powerful and respected aristocracy to take the immediate place between the throne and the people; we have no dynasty of Italian princes possessing any tradition either of glory

or of important services rendered to the development of the nation, and commanding the affection and sympathy of the various states.

Because our Italian tradition is essentially republican; our great memories are republican; the whole history of our national progress is republican; whereas the introduction of monarchy amongst us was coëval with our decay, and consummated our ruin by its constant servility to the foreigner, and antagonism to the people, as well as to the unity of the nation. . . .

Because [we are] doomed to have all our governments opposed to the work of our regeneration, both from cowardice and from system. . . .

Young Italy is *Unitarian*. . . .

Because federalism, by reducing her to the political impotence of Switzerland, would necessarily place her under the influence of one of the neighbouring nations.

Because federalism, by reviving the local rivalries now extinct, would throw Italy back upon the Middle Ages. . . .

Because federalism, by destroying the unity of the great Italian family, would strike at the root of the great mission Italy is destined to accomplish towards humanity.

Because Europe is undergoing a progressive series of transformations, which are gradually and irresistibly guiding European society to form itself into vast and united masses. . . .

These principles, which are the basis of the association, and their immediate consequences, set forth in the publications of the association, form the creed of Young Italy; and the society only admits as members those who accept and believe this creed.

Section 4. . . . Insurrection—by means of guerrilla bands—is the true method of warfare for all nations desirous of emancipating themselves from a foreign yoke. This method of warfare supplies the want—inevitable at the commencement of the insurrection—of a regular army; it calls the greatest number of elements into the field, and yet may be sustained by the smallest number. It

forms the military education of the people, and consecrates every foot of the native soil by the memory of some warlike deed.

Guerrilla warfare opens a field of activity for every local capacity; forces the enemy into an unaccustomed method of battle; avoids the evil consequences of a great defeat; secures the national war from the risk of treason, and has the advantage of not confining it within any defined and determinate basis of operations. It is invincible, indestructible.

The regular army, recruited with all possible solicitude, and organized with all possible care, will complete the work begun by the war of insurrection.

All the members of Young Italy will exert themselves to diffuse these principles of insurrection. . . .

68. THE PRELIMINARIES OF VILLAFRANCA, 1859

The preliminaries of Villafranca were concluded on the 11th of July 1859, when Napoleon III abandoned his support of the Kingdom of Sardinia after the victories of Magenta and Solferino. The Italian Confederation was never formed, owing to the decision of the revolutionaries in Central Italy to join the Sardinian Kingdom. Napoleon III allowed the union of Tuscany, Modena, etc., with Piedmont, at the price of the cession of Savoy and Nice.

SOURCE—Albin, pp. 63–4.

BETWEEN H.M. the Emperor of the French and H.M. the Emperor of Austria the following terms have been agreed upon:

The two sovereigns will encourage the formation of an Italian Confederation.

This Confederation will be under the honorary presidency of the Holy Father.

The Emperor of Austria cedes to the Emperor of the French his rights over Lombardy saving the fortresses of Mantua and Peschiera, so that the frontier of the Austrian possessions shall start from the farthest rayon of the fortress of Peschiera, and shall exactly follow the course

of the Mincio to La Grazie, thence to Szarzarola and Suzana on the Po, from which point the existing frontier shall continue to form the boundaries of Austria. The Emperor of the French will hand over the ceded territory to the King of Sardinia.

Venetia shall form part of the Italian Confederation, while still remaining subject to the Crown of the Emperor of Austria.

The Grand-Duke of Tuscany and the Duke of Modena return to their States and grant a general amnesty.

The two Emperors will ask the Holy Father to introduce some indispensable reforms in his States.

Full and complete amnesty is granted on both sides to persons who have been compromised on the occasion of the recent events in the territories of the belligerent parties.

69. CAVOUR ON GARIBALDI

Cavour, as the diplomat of the Italian Risorgimento, *not only saw that his country must have foreign assistance if it were to achieve unification, but also knew that due regard must be paid to the susceptibilities of other Powers in the efforts which she made herself. Therefore, when Garibaldi and the Thousand made their famous expedition to Sicily in* 1860, *he found himself greatly embarrassed and saw that it was necessary to use great tact in describing the situation to France and England. The following extracts from his letters show his desire to prove that the Sardinian Government was not responsible for Garibaldi, and they serve to give his impressions on the character and conduct of this man.*

(*a*) CAVOUR TO THE SARDINIAN MINISTER IN LONDON, 8 MAY 1860

SOURCE—Bianchi, p. 360.

You will be careful . . . to explain to Lord Palmerston, that in the affair of Sicily we desire above all to place ourselves in perfect agreement with England. We did not encourage Garibaldi to throw himself into this adventure which seemed hazardous to us. We regretted his precipitation which has put us in a most embarrassing

position, and may dangerously compromise the future of Italy. All the same, we respected the high and honourable motives which inspired his daring resolution and we did not consider that we had the right to use force to prevent the exertion of efforts that will have the effect of ameliorating the condition of the Sicilians. If Garibaldi succeeds, if the great majority of Sicilians join him, we ask nothing more on their behalf than full liberty to decide their own fate and to make the use which they think best of the independence they have achieved.

I hasten to give you these explanations. In communicating them to Lord Palmerston and to Lord John, you will add . . . that I have had inserted in to-day's *Official Gazette* an article which denies the rumours of the complicity of the King's Government in Garibaldi's expedition.

(*b*) Cavour to the Sardinian Minister in Paris

Source—*Cavour-Nigra*, Vol. IV, pp. 55–6; 70–1; 122; 145; 221.

4 July 1860.

The recent conduct of Garibaldi has given rise to certain doubts. His entourage is Mazzinian and several of his actions are of a character that is revolutionary in the bad sense. All the same I believe in his good faith. If by any chance he were otherwise, if he refused to recognize Victor Emmanuel as King of South Italy, he would cease to be a danger; the best people around him would desert his side; with a few battalions of *bersaglieri* we should be able to deal with him—I would answer for this with my head. In spite of this, it is beyond all doubt that Garibaldi will be an embarrassment whatever happens, and it will need great energy and more than ordinary skill to secure that he shall be brought to play a part that is compatible with the regular organization of Italy.

12 July 1860.

For the moment our great difficulties come from Garibaldi and Naples.

Garibaldi, intoxicated by success and by the concert of praise which has risen from all points in Europe, is revolving the most daring projects—not to say the most absurd. Faithful to the homage which he has vowed to King Victor Emmanuel he does not contemplate favouring either Mazzini or a republic. But he considers himself called to deliver the whole of Italy in turn, before placing it in the hands of the King. With this in view, he puts off the moment when Sicily shall demand its annexation to Sardinia, in order to retain a dictatorial power which will allow him to organize an army for the purpose of conquering Naples first of all, then Rome, finally Venice. There are even people who affirm that in his immediate circle he does not disguise his intention to take Nice back from France ! ! But I think that is too much to believe.

The Ministry is without influence upon him. On the contrary he keeps all who are supposed to have connexions with it at a distance. . . . He has kept off everybody who has sought to make him listen to reason on this point. . . . Garibaldi has a generous character and has poetic instincts ; but at the same time, his nature is savage and with this kind of person certain impressions leave ineradicable traces. The cession of Nice deeply wounded him, he considers it up to a point as a personal insult, he will never forgive us for it. . . . I think he wants to overturn the Ministry as much as he wants to drive out the Germans.

1 Aug. 1861, 6 a.m.

If Garibaldi crosses over to the mainland and takes possession of the Kingdom of Naples and of its capital as he has done with Sicily and Palermo, he becomes absolute master of the situation. King Victor Emmanuel will lose nearly all his prestige ; he will be no more than the friend of Garibaldi to the majority of Italians. . . . The King cannot take the crown of Italy from the hands of Garibaldi : it would totter on his head.

9 Aug. 1860.

Garibaldi has great moral power and enjoys immense

prestige not only in Italy but above all in Europe. You are wrong in my opinion when you say that we are placed between Garibaldi and Europe. If I came into conflict with Garibaldi to-morrow it is possible that the majority of the old diplomats would be on my side but the public opinion of Europe would be against me and it would be right, for Garibaldi has rendered Italy the greatest services that any man could render her : He has given the Italians confidence in themselves : he has shown Europe that the Italians know how to fight and die on the field of battle for the deliverance of the fatherland. . . .

We could only quarrel with Garibaldi on two conditions :

1. If he wished to drag us into war with France.

2. If he changed his programme by proclaiming another political system than monarchy under Victor Emmanuel.

22 Sept. 1860.

Garibaldi is an *illuminé*, intoxicated by successes that have passed all hopes. He considers himself to have received a providential mission and to be authorized to use any means for its accomplishment. Now he imagines that it is with the men of the revolution that he ought to be marching. The consequence is that he strews his path with disorder and anarchy. If we did not do something to remedy this state of affairs, Italy would perish without Austria's intervention. We have decided not to put up with it. Tell the Emperor very clearly : if Garibaldi persists in the disastrous path upon which he has entered, we will go to re-establish order in Naples and Palermo within a fortnight, even if we have to throw all the Garibaldeans into the sea before we can do it.

70. THE SYLLABUS, 1864

The Syllabus is simply a list and short summary of varied theses which in some form or other had been more or less severely censured by Pope Pius IX as occasion had arisen. In itself it condemns nothing and it has no certain official authority, but it had the effect, and undoubtedly it was intended to have the effect, of showing that the Catholic religion was incompatible with the movements in thought

and politics at that time. Its title is : The Syllabus of the principal errors of our time which are censured in the Consistorial Allocutions, Encyclical and other Apostolical Letters of our Most Holy Lord, Pope Pius IX. 8 *Dec.* 1864.

SOURCE—Mirbt, pp. 450–4.

§ I. *Pantheism, Naturalism, and absolute Rationalism.*

2. All action on the part of God upon men and upon the world is to be denied.

3. Human reason is the sole arbiter of truth and falsehood, and of good and evil, without any reference at all being made to God ; it is a law unto itself and it is sufficient in its own natural strength to secure the welfare of men and peoples.

4. All the truths of religion are derived from the native strength of human reason ; hence reason is the supreme standard by which man can and ought to reach the knowledge of all truths of any kind.

§ II. *Moderate Rationalism.*

8. Since human reason is on the same level as religion itself, therefore theological sciences must be dealt with in the same manner as philosophical sciences.

14. Philosophy is to be treated without reference to supernatural revelation.

§ III. *Indifferentism, Latitudinarianism.*

15. It is free to every man to embrace and profess the religion which he shall consider to be true in the light of reason.

18. Protestantism is nothing more nor less than an alternative form of the same true Christian religion, and in it one is able to please God as well as in the Catholic church.

§ IV. *Socialism, Communism, Secret Societies, Biblical Societies, Clerico-Liberal Societies.*

Pests of this kind are frequently condemned in the strongest terms in Encyclical Letters.

§ V. *Errors concerning the Church and her rights.*

19. The church is not a true and perfect society, completely free, nor is she endowed with essential and perpetual rights of her own, by the gift of her Divine Founder, but it belongs to the civil power to define what are the rights of the church and the limits within which she may exercise those rights.

20. The ecclesiastical power ought not to exercise its authority without the permission and assent of the Civil Government.

24. *The Church has not the power to resort to force, nor has she any temporal power*, direct or indirect.

26. The church has no inherent and legitimate right to acquire and possess property.

30. The *immunity* of the *Church* and of ecclesiastical persons was derived from civil law.

§ VI. *Errors concerning Civil Society, regarded both in itself and in its relation to the Church.*

39. The state, since it is the origin and source of all rights, is endowed with a certain right not circumscribed by any limits.

41. To the civil power, even when it is exercised by an infidel Sovereign, there belongs an indirect and negative power in religious affairs. . . .

42. In any conflict between the laws of the two powers the civil law prevails.

54. Kings and princes not only have immunity from the jurisdiction of the church, but are superior to the church in deciding questions of jurisdiction.

55. *The Church ought to be separated from the state and the state from the Church.*

§ VII. *Errors concerning Natural and Christian ethics.*

63. It is lawful to refuse obedience to legitimate princes and even to rebel against them.

§ IX. *Errors regarding the civil authority of the Roman Pontiff.*

76. The abolition of the temporal power of which the

Apostolic See is possessed, would contribute in the highest degree to the freedom and happiness of the church.

§ X. *Errors which have reference to modern Liberalism.*

77. At the present day it is no longer expedient that the Catholic religion should be held as the only religion of the State, to the exclusion of all other forms of worship.

80. The Roman Pontiff can and ought to reconcile himself and come to terms with progress, liberalism and modern civilization.

71. THE VATICAN COUNCIL, 1869–70

The Union of Italy, the establishment of Rome as the Italian capital, and the abolition of the Temporal Power of the Papacy seemed to have the effect of throwing the Pope more completely into the spiritual side of his office and seem to have had their compensation in the exaltation of that office. At the Vatican Council of 1870 was culminated that long movement which led to the declaration of papal infallibility; and the position was defined in the following carefully worded decree.

SOURCE—Mirbt, pp. 465–6.

WE, therefore, faithfully keeping to the tradition that has come down to us from the beginning of the Catholic faith, and working for the glory of God our Saviour, the exaltation of the Catholic religion, and the salvation of the people of Christ, do with the approval of the Holy Council teach and define as a divinely-revealed dogma: that the Roman Pontiff, when he speaks *ex cathedra*, that is to say, when he discharges the office of Pastor and Teacher of all Christians by defining in virtue of his supreme Apostolic authority a doctrine regarding faith or morals to be held by the universal church, is by the divine assistance promised to him in Blessed Peter possessed of that infallibility which the Divine Redeemer wished to bestow upon His Church for the definition of doctrine in regard to faith or morals; and that therefore such definitions

by the Roman Pontiff are in their nature, apart from the consent of the Church, irreformable.

But if any one presume to contradict this our definition —which may God avert—let him be anathema.

72. THE LAW OF GUARANTEES, 1871

The following law was voted in the Italian Chamber on the 13th of May 1871 to define the position and prerogatives of the Pope, and the relations between Church and State, after Rome had been incorporated in the Kingdom of Italy. The terms were not accepted by the Pope, who refused to make any agreement with the Italian Government, so they do not represent an actual treaty. But the Italian Government considered itself bound by this law, and after 1871 the terms came to represent the recognized position of the Papacy in the European system.

SOURCE—Albin, pp. 99–103.

Chapter I

Prerogatives of the Sovereign Pontiff and the Holy See

ART. 1. The person of the Sovereign Pontiff is sacred and inviolable.

2. Outrages against the person of the Sovereign Pontiff, and the provocation to commit such outrages are punishable with the penalties established for outrages or provocations to commit them, against the person of the King. . . .

The said offences are actionable under the public law and are within the competence of the Assize Courts.

The discussion of religious topics is completely free.

3. The Italian Government gives to the Sovereign Pontiff sovereign honours in Italian territory, and that pre-eminence in honour which is recognized in him by Catholic sovereigns. . . .

4. There is reserved in favour of the Holy See an endowment providing an annual interest of 3,225,000 lires.

This sum, the equivalent of that which is put down in the Roman budget under the heading, *Apostolic palaces, Sacred College, Ecclesiastical Congregation, Secretariat of State and Diplomatic Representation Abroad*, shall provide

an income for the Sovereign Pontiff, and shall meet the various ecclesiastical needs of the Holy See, the ordinary administration and the upkeep of the Apostolic palaces and their dependencies, the salaries, gratifications and pensions of the guards . . . and the people attached to the pontifical Court, the eventual expenses and the administration and upkeep of the museums and libraries which belong to that Court, and the salaries, wages and pensions of those who are employed there. . . .

5. The Sovereign Pontiff . . . shall continue in possession of the Apostolic palaces of the Vatican and the Lateran, with all the buildings, gardens and lands belonging to them, as also of the villa Castel-Gandolfo. . . .

12. The Sovereign Pontiff may correspond freely with the episcopate and the whole Catholic world without any interference from the Italian Government. . . .

Chapter II

Relations of Church and State

14. All special restrictions of the exercise of the right of meeting by members of the Catholic clergy are abolished.

16. The *exequatur* and the royal *placet* and all other forms of governmental authorization for the publication and execution of the decrees of ecclesiastical authorities are abolished. . . .

17. In spiritual and disciplinary matters no claim or appeal against the decisions of the ecclesiastical authorities is admitted, and the public authority is neither granted nor recognized to have any right to put them into effect.

XIII

NAPOLEON III

73. *LES IDÉES NAPOLÉONIENNES*, 1839

During the reign of Louis Philippe, Bonapartist feeling gained ground in France, and in song, story, and drama the glories of the Empire were commemorated. In 1836 *Louis Napoleon Bonaparte, the nephew of the Emperor, attempted to organize a military rising in Strassburg, but failed and was sent into exile. In* 1839 *he published a small book,* Des idées napoléoniennes, *a piece of Bonapartist propaganda, claiming for Napoleon ulterior designs that would have pleased both socialist and pacifist. He reminded the French people of the substantial benefits which Napoleon provided for them, both by his internal policy and by his triumphs abroad. In August* 1840 *he made a further attempt to provoke a military rising at Boulogne, and this resulted in his imprisonment in the fortress of Ham.*

SOURCE—*Nap. III*, pp. 125–30.

AND if in the heavenly resting-place where his great soul now abides in peace, Napoleon could still care about the agitations and judgements which cause conflict here below, would not his indignant spirit have the right to reply to his accusers: 'All that I did for the internal prosperity of France, I could only accomplish in the intervals between battles. And you who blame me—what have you done in the twenty years of profound peace that have since passed by?'

Have you appeased the discords, and united all parties around the altar of the fatherland? Have you acquired for the different authorities in the State that moral preponderance which the law concedes to them and which is a guarantee of stability?

Have you given your House of Peers the democratic organization that my Senate had?

Have you kept the Council of State in its salutary preponderance and its beneficent service?

Have you kept the institution of the Legion of Honour in the purity and prestige of its original organization?

Have you given your electoral system the democratic basis of my cantonal assemblies?

Have you made access to the representative chamber easy by assuring remuneration to the deputies?

Have you recompensed all merit, repressed corruption and introduced into the administration that severe and pure morality which makes authority respectable—as I did?

Have you made the influence of power serve for the amelioration of morals? Have not crimes followed a growing progression instead of diminishing . . . ?

Have you made the land blossom with 100 new industries?

Have you during a long peace completed half the work which I began during cruel wars?

Have you opened up new outlets for commerce?

Have you improved the lot of the poorer classes?

Have you used all the revenues of France solely for the object of its prosperity?

Have you re-established the Divorce Law which guaranteed family morals?

Have you organized the National Guard so that it is an invincible barrier against invasion?

Have you held the clergy to its religious functions, far away from political power?

Have you kept the army in that consideration and popularity which it so deservedly acquired? Have you not sought to degrade the noble mission of the soldier?

Have you given the survivors of Waterloo the little bread which was due to them in return for the blood which they shed for France?

Have the tricolour flag and the name of Frenchmen kept that prestige and influence which made the whole universe respect them?

Have you made sure that France has allies upon whom she can count in the hour of danger?

Have you reduced the charges upon the people? Are not your taxes on the contrary higher than my war-taxes?

Finally, have you weakened that administrative centralization which I only established in order to organize the interior and resist the foreigner?

No, you have kept all that was merely transitory in my reign, the things I was obliged to do for the moment, and you have rejected all the advantages which made up for the faults of these.

The benefits of peace you have not been able to gain; and all the inconveniences of war you have kept, without its immense compensations, the honour and glory of the fatherland.

74. LOUIS NAPOLEON AND THE REVOLUTION OF 1848

When the Revolution of 1848 *took place Louis Napoleon left England and went to Paris, but soon found it wise to return, and declined the seat in the National Assembly, to which he had been elected. In September, however, he was elected deputy for five departments, and on taking his seat in the Assembly he made the following speech.*

SOURCE—Text quoted in Jerrold, Vol. III, pp. 16–17, footnote.

IT is impossible for me to hold my tongue, citizen representatives, in the face of the calumnies of which I have been the subject. It is necessary for me to make a public statement here, on the first day that I am permitted to take my seat in your midst, and to give an account of my real sentiments.

After thirty-three years of proscription and exile I am at last able to come back to my country and resume my rights as a citizen.

The Republic has given me this joy; to the Republic I tender my vow of gratitude, my vow of devotion; and my generous countrymen who have returned me to this place may be assured that I will endeavour to justify their choice by striving with you for the maintenance of peace which is the first necessity of the country, and for the development of the democratic institutions which the people have a right to demand.

For a long time I have been unable to consecrate to France anything but the meditations of exile and captivity. To-day the career which you follow is open to me too. Receive me into your midst, dear colleagues, with the same affection and confidence that I have brought with me. My conduct shall always be inspired by duty, and always animated with respect for the law, and it will prove the falsehood of those who have tried to blacken me for the purpose of keeping me proscribed even now—it will prove that no person is more firmly resolved than I to devote his life to the maintenance of order and the consolidation of the Republic.

75. SPEECH BY THIERS AGAINST NAPOLEON III's FOREIGN POLICY

The year 1867 *saw Napoleon III's foreign policy in disrepute, for he had allowed Prussia to defeat Austria and become the head of a North German Confederation, without securing the compensation he had hoped for; and the expedition he had sent to Mexico had met with tragic failure. On the* 14*th of March* 1867 *Thiers made a famous attack on the foreign policy of the Government in a speech to the* Corps Législatif. *The speech illustrates some of the principles Napoleon had followed, as well as some of the arguments against his policy.*

SOURCE—*Thiers*, Vol. XI, pp. 3–91.

. . . WHAT are the essential features of French policy in the last four centuries? The essential features are two fundamental facts. First that it has always followed what I will call reason of State or, if you like, a policy founded exclusively upon the interests of the State, and

never a policy aiming at the propagation of some principle or other. . . . The second is that it has always upheld small States. . . . We have adopted another policy, the policy of nationality, which has soon been turned into the policy of 'grand agglomerations'. . . . What does this theory of nationalities mean? If it signifies anything worth considering at all it is simply that all States, or at least most States, should comprise one race only, that is to say people of the same origin, all speaking one language. And I would have you notice, as I was saying just now, that on these terms not a State would have any right to exist. . . . So we have established union in Italy, without there being any right on her part, without there being any advantage for us. . . . I told you: Not only will Italian unity be the mother of German unity (these were my actual words), but Italian unity will falsify your whole policy, because it binds you to constitute yourselves as the enemies of Austria, to weaken and perhaps destroy her, and yet Austria is your indispensable ally in the East and above all in Germany. . . . It has been imagined that we could constitute Italy without at the same time bringing about the creation of a united Germany. Oh! gentlemen, for my part I could have liked such a thing to be possible; but follow the events with me for a moment and you will see whether it is easy to do the one thing without doing the other. Notice! We have allowed Count Cavour and King Victor-Emmanuel to take Tuscany. In virtue of what right? Because in Florence Italian is spoken just the same as in Turin—better Italian, but still the same Italian as in Turin. We have allowed the same minister, the same King, to take Naples, to take Palermo, because in Naples and Palermo again they speak the same language, again Italian. Always the same theory of right! And yet again we have allowed this King and his minister to take the Papal States, and we have imagined —we have persuaded ourselves—that such striking examples would have no effect, that this new right would not pass beyond the Alps, and that when it was seen how easy it

is to conquer states in the name of a common language there would not be a minister and King in Germany who would be tempted to follow such an attractive example as the Italian minister and King have set. . . .

. . . Germany was a federation. There was on the one hand an active and ambitious power near to us—Prussia—and she had 19 million subjects at most. In the centre there was the German Confederation, counting 17 or 18 million subjects, and then at the other extremity, far away from us, there was the Power which was strongest in point of numbers, Austria, comprising 36 millions. What was the result of this political organization? The result was not impotence from the point of view of defence, for Germany was perfectly able to defend herself, but impotence from the point of view of attack.

In the place of this state of things, what have we now? There is Prussia either directly or indirectly (directly by the subjects who belong to her and those whom she has conquered, indirectly by those whom she has swallowed into the Confederation of the North), there is Prussia, I repeat, which has risen from 19 million subjects to 30 or 31 millions. . . . And you are perfectly aware that the Confederation of the North, though it calls itself a Confederation, is anything but a Confederation. You are aware that the King of Prussia is the political chief who alone represents this Confederation of the North at foreign courts; you are aware moreover that he is the military chief. . . . One can say without exaggeration that Prussia has absolute possession of the 30 or 31 million men comprised in the Confederation of the North. . . .

There are 9 or 10 million Germans making up the Confederation of the South. After the peace of Prague these 9 or 10 million Germans were to have formed an independent confederation. What were they told? They were told that they were going to become the old Confederation of the Rhine, and so by a sort of patriotic scruple they came to a halt. And what have they done? They have formed themselves into a military Confederation

whose basis is the adoption of the Prussian military system. By this time it is all settled. The treaties which institute this military union have just been published. . . . So you know what the relation between the two Confederations is. It consists of a strong and close military alliance. . . . Speaking in a military way, no enlightened politician could question the fact, and I have not met a solitary one who retained the least doubt on this subject, that on the Rhine frontier in place of the old German Confederation, powerful on the defensive but impotent for purposes of attack, there is a nation of 40 million men, which I am not insulting when I say that it is young, active, bold, and devoured by ambition, all at the same time. . . .

. . . For my part, I do not wish for war. War would be an extravagance, if you will allow me to use the word ; it would precipitate the very events that we wish to avoid. Our true policy is, while accepting what has been done (it might have been prevented and we were wrong not to prevent it, but it is too late now)—accepting what has been done, to declare with a loud voice that we shall not allow matters to go any further. Our true policy is not to desire a reaction against what has already happened, but to call a halt, to suspend the movement or at any rate to slacken it.

76. FRANCO-PRUSSIAN RELATIONS AFTER THE TREATY OF PRAGUE

In the following letter, dated 28 October 1868, Lord Clarendon describes to the Queen of Prussia the state of Franco-Prussian relations in 1868, and in particular the apprehension of France concerning the possible extension of Prussian power—the completion of the unification of Germany.

SOURCE—Oncken, Vol. III, pp. 51–2.

MADAME, . . . I had the honour of being received by the Emperor [Napoleon] and I described to him the pacific sentiments and intentions of the King of Prussia ; I told

him that His Majesty was sincerely desirous of peace; that everything consistent with the honour of the King was being done to avoid war, but that if war did come about he was quite resolved that the burden of the responsibility for this great disaster should not be his and that it should be plain to all the world that he was only taking arms in self-defence. I added that the King was quite convinced that the policy of the Emperor was just as peaceful as his own, but as it was impossible to foresee at what moment internal troubles or dynastic interests might not induce the Emperor to prefer the alternative of war, Prussia was forced to keep her arms in readiness and to persist in a condition harmful to the material interests, and justifying the anxiety, of Europe.

The Emperor listened to this short account of the King's sentiments with lively satisfaction, but he made the positive declaration that the hypothetical causes of war to which the King had alluded in his conversation with me, did not exist, for no internal trouble (even if he foresaw any, which is not the case) would be appeased by an external war, and that in the times in which we live a policy which would be bound to increase taxation and shed the blood of the people would be dangerous in the highest degree to any dynastic interests.

The sole danger which peace has to run lies, according to the Emperor, in the infraction of the *status quo*; for if the existing state of things is not upheld, if the Grand-Duchy of Baden were to join the confederation, if Prussia were to cross the Main, the irritation of France and especially of the army would know neither laws nor limits. Whoever occupied the throne would be powerless to resist it and would find himself dragged into war beyond all doubt. 'There lies the danger,' added the Emperor, 'and it is for the purpose of putting an end to it that I desire a genuine understanding with Prussia, either by means of a congress or through the good offices of the combined Powers. I desire to justify in the eyes of France the measures which will be necessary to re-establish

confidence on the basis of the well-founded conviction that the peace is no longer endangered.'

It cannot be questioned that after the campaign of 1866 the dignity and interests of France placed the Emperor under the obligation of reorganizing and increasing his army, for the nation knew how weak it was at the side of its powerful neighbour; but that is already an accomplished fact. The national amour-propre is satisfied with this, and consequently public opinion desires not only the maintenance of peace but the end of the anxieties to which the fear of war has given rise.

To secure this some new diplomatic acts, some formal renewal of guarantees of the Treaty of Prague seem necessary. . . . It has begun to be said that it would be better to have the realities of war than the prolongation of this uncertain, costly, menacing peace. . . .

77. THE LIBERAL EMPIRE, 1870

In 1866–7 Émile Ollivier had formed what was known as the Third Party, a party which was prepared to support the Empire, provided it became truly Liberal and based itself on genuine parliamentary institutions. Napoleon had conceded the right to strike, the right to hold public meetings, but, as the opposition grew, he came to lean on this Third Party as an escape from the Socialists and Republicans. In 1869 he granted their terms and agreed to govern through a responsible ministry and on the 2nd January 1870 Ollivier came into office, commissioned to form a government out of the members of the majority. The Austrian ambassador in Paris wrote the following comments on the reign of Napoleon III in a letter to the Austrian Chancellor, Beust, dated 21 January 1870.

SOURCE—Oncken, Vol. III, pp. 294–6.

My different interviews with the Emperor, Rouher and Thiers, and my conversations with the new Ministers permit me now to formulate certain conclusions concerning the present state of things.

During the last 18 years the Emperor has been the popular and autocratic Caesar that he had dreamed of

becoming. Up to 1859 he managed the affairs of the cosmopolitan revolution and so realized his ideal of being the chosen head of the French democracy.

His campaign against American democracy through his intervention in Mexico, and, as a result of this mistake, his impotence in the face of the antidemocratic conquests of Prussia, dragged his prestige as a Caesar into the mud. Mexico was his Moscow and Sadowa his Waterloo. He was deserted by universal suffrage, and since the last elections the Emperor of the 2nd of December has been overthrown.

With the quickness and accuracy of vision which characterize him, the Emperor has seen the abyss. He has tried liberty and even licence, and gave much more than he was asked to give. The right of public meeting and the freedom of the press have not answered his expectations and his secret hopes, and they have conspired to work against him instead of placing him upon a revolutionary pedestal. There remained the 'happy medium' —the opinion of the bourgeoisie—the men who wanted an ordered liberty. There remained the policy of putting the government into the hands of other people.

The Emperor resigned himself to this with some effort, but with promptitude and sincerity. It represents the third phase, the third metamorphosis of Jupiter. He has succeeded and he is happy—public opinion supports this government *by theory*, and it supports the Emperor who is behind it.

The situation is precarious, but it certainly has better prospects than any other. Sheltering himself behind ministerial responsibility, the Emperor will gain time and strength—if the experiment succeeds, so much the better—if not, the Emperor does not consider that he has said his last word, and he will take action.

The new ministers are filled with good intentions. . . .

The Emperor, who is quite dazed to find that he has picked up Louis Philippe's umbrella, lets the world take its course, . . . and tells himself that he has had a near

escape, but that with sang-froid, with an eye for opportunities, and with a little sunshine between two rheumatisms, there are still fine days ahead for France and for this 'Second of December' disguised as a 'happy medium'.

XIV

BISMARCK

78. THE CONVENTION OF GASTEIN, 1865

After Prussia and Austria had defeated the Danes in 1864 *they concluded the Treaty of Vienna on the* 30*th of October, but left the future of Schleswig and Holstein undetermined. The two Duchies were ceded to Austria and Prussia, and the Danish King promised his agreement to any decision that might be made in regard to their future. Bismarck was determined that the Duchies should serve for the aggrandizement of Prussia, and the next stage in his diplomacy brought him to issue with Austria, not merely in regard to this question but also on the larger question of the mastery of Germany. Because he was not ready for actual war, he made an interim arrangement with the Court of Vienna, and signed the Convention of Gastein on the* 14*th of August* 1865.

SOURCE—Geffcken, Vol. I, pp. 339–42.

ART. 1. The exercise of the rights jointly acquired by the high contracting parties through Article III of the Vienna Treaty of Peace of the 30th of October 1864 will, without prejudice to the continuance of these rights of both Powers to the whole of both Duchies, be transferred, as regards the Duchy of Schleswig, to H.M. the King of Prussia, and as regards the Duchy of Holstein to H.M. the Emperor of Austria.

Art. 2. The high contracting parties will propose in the Federal Diet the establishment of a German fleet and the making of Kiel harbour into a federal harbour for this purpose. Until the execution of the resolutions of the Diet in this connexion, the war vessels of both Powers will use this port, and the command and the policing of it will be undertaken by Prussia. . . .

Art. 6. The high contracting parties are both agreed that the Duchies shall join the Zollverein. Until this takes place or until some further understanding is reached, the customs-system hitherto in vogue, comprising both Duchies, shall remain in force, the revenue to be equally divided. In case it should appear advisable to the Prussian Government, pending the duration of the division agreed upon in Art. 1 of this present treaty, to open negotiations with respect to the entry of the Duchies into the Zollverein, H.M. the Emperor of Austria is ready to empower a representative of the Duchy of Holstein to take part in such negotiations.

Art. 7. Prussia is authorized to carry the German Ocean and Baltic Canal through . . . Holstein territory. . . .

Art. 8. No change is made by the present Convention in the arrangements of the Vienna Peace Treaty of the 30th of October, 1864, in regard to the financial obligations to be undertaken by the Duchies. . . .

Art. 9. H.M. the Emperor of Austria makes over the rights to the Duchy of Lauenburg acquired in the above-mentioned Treaty to H.M. the King of Prussia, in exchange for which the Prussian Government binds itself to pay to the Austrian Government the sum of 2,500,000 Danish thalers, payable in Berlin in Prussian silver coin four weeks after the confirmation of this present Convention by their Majesties the King of Prussia and the Emperor of Austria.

Art. 10. . . . The hitherto-existing Common Command shall be dissolved after the completion of the evacuation of Holstein by the Prussian and Schleswig by the Austrian troops, and at latest by the 15th September.

79. THE TREATY OF PRAGUE, 1866

In June 1866 the dispute of Austria and Prussia concerning the Schleswig-Holstein question and the constitution of Germany, brought about the war between these two Powers, for which Bismarck had been preparing. On the 3rd July the battle of Sadowa issued in the defeat and collapse of Austria, and on the 23rd August the following treaty

was concluded in Prague. As a result of the war Prussia gained possession of Hanover, Hesse-Cassel, Schleswig-Holstein, Nassau and Frankfort; formed a Confederation in North Germany; and secured the exclusion of Austria from Germany. Her ally, Italy, gained Venetia, but as the Court of Vienna declined to make this cession directly, the province was handed over to Napoleon III, who transferred it to the Italian Government.

SOURCE—Translation in *State Papers*, Vol. LVI, pp. 1050–4.

1. THERE shall be Peace and Friendship between His Majesty the Emperor of Austria and His Majesty the King of Prussia, and between their heirs and successors, as well as between their respective States and subjects, henceforth and for ever.

2. For the purpose of carrying out Article VI of the preliminaries of Peace concluded at Nikolsburg on the 26th of July 1866, and as His Majesty the Emperor of the French officially declared through his accredited Ambassador to His Majesty the King of Prussia, on the 29th of July 1866, 'that as regards the Emperor's Government, Venice belongs to Italy and will be handed over to her at the Peace'—His Majesty the Emperor of Austria also accedes on his part to that declaration and gives his consent to the union of the Lombardo-Venetian Kingdom with the Kingdom of Italy, without any other burdensome condition than the liquidation of those debts which, being charged on the territories ceded, are to be recognized in accordance with the precedent of the Treaty of Zurich.

3. The prisoners of war shall be set at liberty immediately on both sides.

4. His Majesty the Emperor of Austria acknowledges the dissolution of the Germanic Confederation as hitherto constituted, and gives his consent to a new organization of Germany without the participation of the Imperial Austrian State. His Majesty likewise promises to recognize the more restricted Federal relations which His Majesty the King of Prussia will establish to the north of the line of the Main; and he declares his concurrence in the formation of an association of the German States situated to the

south of that line, whose national connexion with the North German Confederation is reserved for further arrangement between the parties, and which will have an independent international existence.

5. His Majesty the Emperor of Austria transfers to His Majesty the King of Prussia all the rights which he acquired by the Vienna Treaty of Peace of 30th October 1864 over the Duchies of Holstein and Schleswig, with the condition that the populations of the northern districts of Schleswig shall be ceded to Denmark if, by a free vote, they express a wish to be united to Denmark.

6. At the desire of His Majesty the Emperor of Austria, His Majesty the King of Prussia declares his willingness to let the present territorial condition of the Kingdom of Saxony remain to the same extent as before, in the alterations which are about to be made in Germany; but he reserves to himself the right of arranging the contribution of Saxony to the expenses of the war, and the future position of the Kingdom of Saxony in the North German Confederation, by a special Treaty to be concluded with His Majesty the King of Saxony.

On the other hand, His Majesty the Emperor of Austria promises to recognize the new arrangements that will be made by His Majesty the King of Prussia in North Germany, including the territorial alterations.

11. His Majesty the Emperor of Austria undertakes to pay to His Majesty the King of Prussia the sum of 40,000,000 Prussian thalers, to cover part of the expenses which Prussia has been put to by the war. From that sum is, however, to be deducted the amount of the war expenses which His Majesty the Emperor of Austria has still to demand from the Duchies of Schleswig and Holstein. . . .

80. BISMARCK ON GERMAN UNIFICATION, 1870

The following speech was made by Bismarck in the North German Reichstag, on the 24th of February 1870, in reply to those enthusiasts who were too eager for the extension of the North German Confederation

and who particularly desired to see the immediate inclusion of Baden in the Prussian system. It illustrates the careful way in which Bismarck moved to his final end, the complete unification of Germany, preferring to nurse public opinion rather than to force events.

SOURCE—Kohl, Vol. IV, pp. 309–15.

HOWEVER much we may wish to see Baden come into the North German Confederation, it would be impossible for any of us to consider this as a definite settlement, a final winding-up of the German question, for we are all agreed on one matter, that it would only be a step to a united Germany and a means of bringing about that closer union between the Northern and the Southern States which we are all striving for in one form or another. I might define this as the development of intimacy and common institutions, through which we may unite with one another in complete freedom—but only in complete freedom, without threat or pressure or constraint. . . .

Now arises the question in which position is the Grand-Duchy of Baden more favourably placed for assisting the unification of Germany, considering that she is the representative of the national idea, I might say the sole official spokesman of the national idea among the four German states of the South? Is it better that she should be a definitely integral part of the Confederation of the North, separated from the States of the South, or is it better that she should remain where she is, where she can act as an intermediary in any negotiations that might take place between the Southern States themselves or between these States and the Confederation of the North? . . . I am convinced that the Grand-Duchy, through the nationalist inclinations of its educated classes, indeed the majority of its people, is more useful to us while she keeps her place along with the Southern States, and furthers our plans more effectively, than would be possible if she came over to the Confederation of the North. . . . So it is my belief that we shall not do any good by cutting off from the South the very element which is favourable to the development of the national cause in that region, and separating

it with a barrier. If I may use a trivial comparison which you may put down to my recent participation in an Agricultural Congress, we should be taking the cream off the milk and letting the rest go sour. . . .

I had the feeling when I first read the motion that the gentlemen who were moving it were in a state of mind something like that in which Shakespeare describes Harry Hotspur when after he had killed half-a-dozen Scotsmen he complained of the tediousness of life—nothing is happening just now, something must be done to bring in a bit of life. The foundation of political union, the carrying out of great reforms, vigorous legislative activity, all this does not satisfy our thirst for getting things done: we must have something happening. This was the impression that the proposers of the motion made on me, though how fair it is I am unable to say; but if there is anything in it, does it not mean that we underestimate the importance of what has actually been achieved? Go back, gentlemen, to the years before 1848 and the years before 1864. How little would have been needed to satisfy us then! What a brilliant achievement it would have seemed to the whole nation if we had had for the whole of Germany such a union as we now have with the States of the South—that is to say a Customs Parliament which has put an end to the *liberum veto* in our customs organization and given an organic constitutional form to all the States, and also the securing of the supreme command over the united forces of Germany. In the time of the old Confederation the nomination to the Supreme Command was a great difficulty in time of war; it was a laborious matter, and the negotiations on this subject, unless the Diet procured a general from outside, might last longer than the war itself.

81. THE EMS TELEGRAM, 1870

When, on the 12th of July 1870, Prince Anthony of Hohenzollern-Sigmaringen withdrew his son's acceptance of the Spanish candidature, in order to avert war with France, Bismarck, who had all the time

been impatient with King William's desire to appease the French Government, was angry and depressed, and talked of resignation. The French played into his hands by demanding a promise that the Prussian King should never allow the candidature to be renewed, and the King, after refusing to give way to the importunity of the French ambassador in Ems, had the following telegram, document (a), *sent to Bismarck in Berlin on the 13th of July. Bismarck took the opportunity here given to publish the news, but he communicated to the Prussian diplomatic agents and the press only the cleverly abridged version of the telegram, which is given in document* (b). *Without adding any fresh material, he managed to make it appear that France had been insulted, and, knowing the state of public opinion in France, he could be sure that the episode would lead to war.*

SOURCE—Fester, Vol. II, pp. 123–4.

(*a*) H.M. THE KING writes to me : 'Count Benedetti caught me on the promenade and demanded ultimately in a most tiresome way that I should authorize him to telegraph immediately that I bound myself for all time never again to give my consent in case the Hohenzollerns should renew their candidature. I refused, with some sternness in the end, since it is not permitted to undertake engagements of this kind *à tout jamais*, and it cannot be done. Naturally I told him that I had not received any information as yet, and as he got the news from Paris and Madrid before I did he would easily see that my Government once more had no hand in the game.' H.M. has since received a letter from the Prince. As H.M. had told Count Benedetti that he was waiting for news from the Prince, he has decided, with reference to the above-mentioned demand—this upon the representations of Count Eulenberg and myself—that he will not receive Count Benedetti again, but will inform him through an aide-de-camp that H.M. has now received the Prince's confirmation of the news Benedetti had already had from Paris, and he has nothing further to say to the ambassador. H.M. leaves it to Your Excellency to decide whether this new demand by Benedetti and its rejection should not be immediately communicated both to our ambassadors and to the press.

(*b*) After the news of the Prince of Hohenzollern's renunciation had been officially communicated to the

French Imperial Government, the French ambassador in Ems made the further stipulation that he should be authorized to telegraph to Paris that H.M. the King bound himself for all time never again to give his consent if the Hohenzollern family should take up the candidature again. His Majesty thereupon declined to receive the French ambassador again, and informed him by the aide-de-camp on duty that he had nothing further to say to him.

82. THE PRELIMINARY TREATY OF VERSAILLES, 1871

This preliminary treaty, signed on the 26th of February 1871, after the defeat and invasion of France in the Franco-Prussian War, secured the cession to Germany of most of Alsace and Lorraine.

SOURCE—Translation in Hertslet, III, No. 438.

1. FRANCE renounces in favour of the German Empire all her rights and titles over the territories situated on the east of the frontier hereafter described. . . .

The German Empire shall possess these territories in perpetuity in all sovereignty and property. An international commission, composed of an equal number of representatives of the two high contracting parties, shall be appointed immediately after the exchange of the ratifications of the present treaty, to trace on the spot the new frontier, in conformity with the preceding stipulations. . . .

2. France shall pay to His Majesty the Emperor of Germany the sum of 5,000,000,000 francs (5 milliards).

The payment of at least 1,000,000,000 (one milliard) francs shall be effected within the year 1871, and the whole of the remainder of the debt in the space of 3 years, dating from the ratification of the present [treaty].

3. The evacuation of the French territory occupied by German troops shall begin after the ratification of the present treaty by the National Assembly sitting at Bordeaux. . . .

5. The interests of the inhabitants of the territories ceded by France, in everything relating to their commerce and their civil rights, shall be regulated in as favourable a manner as possible when the conditions of the definitive peace are settled. A certain time will be fixed, during which they will enjoy particular advantages for the disposal of their produce. The German Government will put no obstacle in the way of free emigration by the inhabitants from the ceded territories, and shall take no steps against them affecting their persons or their property. . . .

83. THE *KULTURKAMPF*

The following are some of the important articles in the legislation which produced the Kulturkampf—*the recurrence of the controversy concerning the competence of the Church as against the State, which took place in Germany after* 1870. *The articles illustrate the kind of issues upon which Bismarck came into conflict with the Papacy.*

(*a*) Law of February 1872

Source—*Nouvelle législation*, p. 25.

Art. 1. The inspection of all teaching and educational establishments, public or private, belongs to the State. Contrary arrangements existing in various parts of the country are abolished. All authorities and functionaries charged with this work of inspection act therefore in the name of the State.

(*b*) Law of 4 July 1872

Source—L. de B., p. 225.

Art. 1. The Order of the Society of Jesus, and the orders and congregations similar to orders which are connected with it, are excluded from the territory of the German Empire. The founding of establishments by these orders is forbidden. The establishments now in existence shall be suppressed within a period to be specified by the Federal Council, but not longer than six months.

(*c*) Law of 5 April 1873

Source—Hinschius, p. xxix.

. . . The Evangelical and Roman Catholic Churches, and all other religious bodies, are independent in the regulation and administration of their affairs; but they remain subject to the laws and supervision of the State as it is organized by law. . . .

(*d*) Law of 11 May 1873

Source—*ibid.*, pp. 100–7.

Art. 1. An ecclesiastical office in one of the Christian Churches can only be conferred upon a German who has pursued his scientific studies in conformity with the dispositions of the present law, and whose nomination has not been opposed by the Government.

Art. 4. In order to be invested with an ecclesiastical post it is required to have passed a leaving-examination in a German school, to have studied theology for three years in a German state-university, and to have passed a government examination. . . .

(*e*) Law of 13 May 1873

Source—*ibid.*, pp. 3–19.

Art. 1. No Church or religious body has the right to threaten men with other forms of punishment and correction, nor to proclaim or publish any other forms, than those which belong to the purely religious domain or consist either in the deprivation of some right exercised within the Church or religious body, or else in exclusion from the Church or religious body.

Corporal methods of punishment or correction, and those which fall on property, liberty and civic honour are forbidden.

Art. 2. The penalties allowed in Article 1 may not be pronounced against a member of the Church or religious body, nor published, for the following reasons:

1. Because that member has done something which he

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is obliged to do by the law of the land or the ordinances issued by legal authority acting within the limits of its competence.

2. Because that member has exercised or declined to exercise the general right of taking part in elections or giving a vote in a certain way. . . .

(*f*) Law of 4 May 1874

Source—L. de B., p. 249.

Art. 1. If an ecclesiastic or minister of religion deprived of his functions by a judicial decision does anything which implies a claim on his part to continue in the exercise of the functions from which he has been removed, the state police may command or forbid him to reside in certain districts or places.

If the act in question takes the form of an actual exercise of his functions, or an express claim to exercise them, or, again, if the ecclesiastic contravenes the order given him by the state police, he may be declared to have forfeited his nationality by order of the central authority and he may be expelled from the territory of the Confederation. . . .

XV

THE EASTERN QUESTION

84. THE CAPITULATIONS OF 1740

Ever since the time of Francis I, the connexion with Turkey had been a tradition of French policy, but the French Government did not care to commit itself by making formal treaties with the infidel, and the privileges which Frenchmen enjoyed in the Turkish Empire as the reward of their alliance were conferred by one-sided documents called Capitulations and so appeared as the pure gift of the Sultan. The Turks took over the form of these legal documents from the Byzantine Empire which they had conquered. Capitulations were used in particular for the granting of special immunities and jurisdictions, outside the ordinary law of the land. And the most famous of the issues of these Capitulations occurred in 1740 as a result of one of the greatest French diplomatic successes of the eighteenth century. Turkey found herself at war with Austria and Russia in 1735–9 and inflicted defeat on the Austrians but could not withstand the attacks of the Russians. Through French mediation Austria was induced to make a separate peace at great disadvantage to herself since she was compelled to sacrifice many of the acquisitions she had made in the Treaty of Passarowitz (1718). Russia, left to carry on the war alone, soon found it to her interests to conclude peace on terms much less satisfactory than her original successes would seem to have justified. The victory of this French diplomacy was ably used by a capable ambassador, the Marquis de Villeneuve, in Constantinople, and the Capitulations of 1740 were the result. Because of these the Levant Trade represented the most important side of French commerce, and France held the most privileged position in the Near East until the time of the Revolution.

SOURCE—Wenck, Vol. I, pp. 540–76.

I WHO, by the excellence of the infinite favours of the Most High, and by the eminence of those miracles full of benediction performed by the chief of the prophets (to whom be

given the most abundant salvation, as also to his family and his companions), am the Sultan of glorious Sultans, the Emperor of powerful Emperors, the distributor of crowns to the Chosroes who are seated on the thrones, the shadow of God on earth, the servant of the two illustrious and noble towns of Mecca and Medina, august and holy places to which all Musulmans address their vows; the protector and master of holy Jerusalem; the sovereign of the three great cities of Constantinople, Adrianople and Brusa, as also of Damascus, the scent of paradise, of Tripoli, of Syria, of Egypt, the rarity of the age, renowned for its delights; of all Arabia . . . possessor finally of numerous towns and fortresses of which it is superfluous to recount the names or to boast in this place; I who am the emperor, the haven of justice and King of Kings, the seat of victory, Sultan, son of a Sultan, the Emperor Mahmud the conqueror, Son of Sultan Mustafa, son of Sultan Mohammed; I who by my power am the source of felicity and am adorned with the title of Emperor of Two Lands, and as the summit of grandeur possess my Caliphate, bear the illustrious title of Emperor of the Two Seas.

The glory of the great princes of the belief of Jesus, the chosen of those great and magnificent ones who follow the religion of the Messiah, the arbiter and mediator of the affairs of Christian nations, clothed with the true signs of honour and dignity, full of grandeur, glory and majesty, the Emperor of France and other great kingdoms depending from it, our most magnificent, honoured, sincere and ancient friend, Louis XV, to whom may God grant all success and felicity, having sent to our august court which is the seat of the Caliphate a letter containing proofs of the most special affection, candour and rectitude and the said letter being destined for our Sublime Porte . . . which by the infinite goodness of the incontestably majestic Supreme Being is the dwelling-place of the most glorious Sultans and the most worthy emperors . . . and as in the said letter there is question in return for the sincere friendship and special attachment that France has always shown to our

imperial house, of renewing once more, during the happy course of our splendid reign, and fortifying and clarifying by the addition of some articles, the imperial capitulations already renewed in the year of the Hegira 1084 under the reign of the late Sultan Mohammed our august ancestor, noble and generous during his life and most fortunate in his death ; which capitulations had as their object *the protection of the ambassadors, consuls, interpreters, merchants, and subjects of France* and their maintenance in complete quiet and tranquillity ; and since finally it has reached our imperial knowledge that there have been conferences on these points between the said ambassador and the ministers of our Sublime Porte . . . not only have We by these presents confirmed the ancient and oft-renewed capitulations in all their extent, as well as the articles inserted at the above-mentioned date ; but to secure still more peace for merchants and activity for commerce We have granted exemption from the payment of *mézétérie* which they have always hitherto paid, as well as several other privileges relating to commerce and the security of travel, . . . and for the execution of these articles the present imperial commandment shall be issued in the following form :

1. No one shall disturb the Frenchmen who go or come to visit Jerusalem, or the Religious who are in the Church of the Holy Sepulchre, called Kamama.

15. If there should happen any murder or other disorder amongst the French, their ambassadors and consuls shall decide upon it according to their use and customs, without being disturbed in this respect by any of our officers.

20. We desire that the French merchants, dragomans and others . . . shall come and go freely by land and sea, to sell, buy and do business in our states, and that after paying the customary dues and the consular fees as they have always been levied, they shall not be disturbed or molested in their journeyings by our admirals, ship-captains, or others, or by our troops.

26. If anyone has a difference with a French merchant and they carry this before the Khadi, this judge shall not

hear their case unless the French dragoman is present, and if this interpreter is occupied with pressing business at the time, the matter shall be postponed until he is able to come ; but also the French will hasten to call upon him and will not abuse the pretext of the absence of the dragoman ; and, if there occurs some contestation between the French, the ambassador and consuls shall take cognizance of it, and shall decide it according to their customs and usages and nobody shall raise any opposition.

Additions to the old Capitulations.

65. If a Frenchman or a man under French protection commit a murder or some other crime and it is desired that justice take cognizance of it, the judges and officers of my empire may not proceed in the matter, save in the presence of the ambassador and consuls or their representatives in the places where they may be ; and in order that nothing may be done contrary to noble justice and the imperial capitulations, both sides shall proceed only after the formal investigation and necessary inquiries have been made.

85. THE TREATY OF KUTCHUK-KAINARDJI, 1774

In 1768 the Turks, incited by France, declared war on the Russian Empire. The successes of Russia in this war created the alarm which led to the first Partition of Poland (see document 18). On the 15th of July 1774 peace was concluded in the important treaty of Kutchuk-Kainardji ; and it was upon the stipulations of this treaty that the Russians based their claim to interfere in the internal affairs of the Ottoman Empire, at the time of the Crimean War.

SOURCE—Martens, Vol. II, pp. 287–322.

ART. VII. The Sublime Porte promises always to protect the Christian religion and its churches ; and also it permits ministers of the imperial court of Russia to make representations on all occasions both in favour of the new church at Constantinople of which there is mention in Article XIV, and in favour of those who serve it ; promising to take these representations into consideration, as made by a

person of confidence on behalf of a neighbouring and sincerely friendly Power.

Art. VIII. It shall be free and allowable to the subjects of the Russian Empire, both lay and clerical, to visit the holy city of Jerusalem and other places worthy of attention. There shall not be exacted from these pilgrims and travellers by anybody either at Jerusalem or elsewhere, any *charatsch*, contribution, duty or other tax ; but they shall be furnished with passports and firmans, such as are given to the subjects of other friendly Powers. During their stay in the Ottoman Empire there shall not be the least wrong or injury done to them, but on the contrary they shall be under the most rigid protection of the laws.

Art. XI. For the convenience and advantage of the two empires there shall be free and unobstructed navigation for the merchant-ships belonging to the two contracting Powers in all the seas which bathe their lands ; the Sublime Porte grants to Russian merchant-ships in particular, such as those which the other Powers use everywhere for commerce and in the ports, a free passage from the Black Sea into the White [Ægean] Sea and reciprocally from the White Sea into the Black Sea ; as also to enter all the ports and harbours existing either on the coasts of the sea or in the passages and canals which join these seas. Similarly the Sublime Porte allows Russian subjects to trade by land in its states as well as by sea, and also allows their ships on the Danube, conformably to what is specified above in this article, and this with the same privileges and advantages as are enjoyed by the nations the most friendly to the Porte and the most favoured in matters of commerce, the French and English, for example ; and the capitulations of these two nations and others shall serve as the rule in everything and in every place as regards Russian trade and traders, as though they were inserted here word for word ; so that the Russian traders paying the same dues may import and export all kinds of goods and enter all the ports and harbours both in the Black Sea and in the other seas, Constantinople being expressly included. . . .

Art. XVI. The Russian Empire restores to the Sublime Porte all Bessarabia . . . the two principalities of Wallachia and Moldavia, with all the fortresses, towns, burgs, villages and everything they contain, and the Sublime Porte receives them on the following conditions, with the solemn promise to observe them sacredly : 1. To grant an eternal and absolute amnesty to all the inhabitants of these principalities, of whatever dignity, rank, estate, vocation or extraction they may be, without the least exception. . . . 2. Not in any way to hinder the free exercise of the Christian religion or to place any obstacle against the construction of new churches or the repair of old ones, as has been the case before. 3. To restore to convents and private persons the lands and possessions hitherto belonging to them. . . . 4. To have for the clergy the special regard which their estate demands. . . . 9. The Porte allows the princes of both [these two states to have in Constantinople a *chargé d'affaires*, taken from the Christians of the Greek communion, who shall watch over the matters concerning the said principalities and shall be treated with kindness by the Porte, and who, notwithstanding their lack of importance, shall be considered as persons enjoying the rights of international law, that is to say as having immunity from all violence. 10. The Porte consents also that in accordance as the circumstances of these two principalities might demand it, the ministers of the imperial court of Russia residing in Constantinople may make representations on their behalf ; and the Porte promises to hear these representations with the regard that is due to friendly and respected Powers.

86. CATHERINE THE GREAT'S ORIENTAL SCHEME

The following letters, written by Sir James Harris, the English minister in St. Petersburg, to Viscount Weymouth, Secretary of State, on the 4th of June 1779, illustrate Catherine II's designs on Turkey. It was for the promotion of these designs that Catherine came into

an alliance with the Emperor Joseph II. Turkey declared war again in 1787.

SOURCE—Malmesbury, Vol. I, pp. 236-8.

(*a*) PRINCE POTEMKIN himself pays little regard to the politics on the West of Russia; his mind is continually occupied with the idea of raising an Empire in the East; he has so far infected the Empress with these sentiments that she has been chimerical enough to christen the new-born Grand Duke, Constantine; to give him a Greek nurse, whose name was Helen, and to talk in her private society of placing him on the throne of the Eastern Empire. In the meanwhile, she is building a town at Tsarskso Selo, to be called Constantingorod. . . .

(*b*) The present reigning idea (and it carries away all others) is the establishing a new Empire in the East, at Athens or Constantinople. The Empress discoursed a long while with me the other day on the ancient Greeks, of their alacrity and the superiority of their genius, and the same character being still extant in the modern ones, and of the possibility of their again becoming the first people if properly assisted and seconded. . . . If H.M. should stand in indispensable need of assistance from this quarter [i.e. Russia] the only means of obtaining it is by encouraging this romantic idea. She is now so warmly bent on it, that such a conduct, dexterously managed, would give us the firmest hold of this Court; and as its execution, whenever seriously planned, would instantly appear impracticable, we need not be apprehensive of having engaged ourselves too far in an unpleasant transaction.

87. THE BATTLE OF NAVARINO, 1827

By the Treaty of London, July 1827, *England, France and Russia agreed to use their efforts to bring about the conclusion of an armistice between the Turkish Government and the insurgent Greeks; but the Turks refused to accept their mediation. Ibrahim, who had brought an army over from Egypt, was prosecuting the war with great severity, and ignored the attempt of the three admirals of the Allied Powers to*

bring about a suspension of hostilities. On the 18th of October these admirals drew up the following Protocol and decided to move into Navarino Bay, where a squadron of Turkish and Egyptian ships were lying. They did not intend to commit any act of hostility, but the situation resulting from this movement was one that could scarcely fail to lead to actual fighting. On October the 20th the Turks fired upon a British boat, and this resulted in an action which led to the complete destruction of the Turkish vessels.

SOURCE—*State Papers*, Vol. XIV, pp. 1050–1.

THE Admirals commanding the Squadrons of the three Powers which signed the Treaty of London, having met before Navarino for the purpose of concerting the means of effecting the object specified in the said Treaty, viz. an Armistice, *de facto*, between the Turks and the Greeks, have set forth in the present Protocol the result of their Conference.

Considering that, after the provisional suspension of hostilities, to which Ibrahim Pasha consented in his Conference of the 25th of September last, with the English and French Admirals, acting likewise in the name of the Russian Admiral, the said Pasha did the very next day violate his engagement by causing his Fleet to come out, with a view to its proceeding to another point in the Morea ;

Considering that, since the return of that Fleet to Navarino, in consequence of a second requisition addressed to Ibrahim by Admiral Codrington, who had met him near Patras, the Troops of this Pasha had not ceased carrying on a species of warfare more destructive and exterminating than before, putting Women and Children to the sword, burning the habitations, and tearing up trees by the roots, in order to complete the devastation of the Country ;

Considering that, with a view of putting a stop to atrocities, which exceed all that has hitherto taken place, the means of persuasion and conciliation, the representations made to the Turkish Chiefs, and the advice given to Mehemet-Ali and his Son, have been treated as mockeries, whilst they might, with one word, have suspended the course of so many barbarities ;

Considering, that there only remains to the Commanders of the Allied Squadrons the choice between three modes of fulfilling the intentions of their respective Courts, namely :

1st. The continuing, throughout the whole of the Winter, a blockade, difficult, expensive, and perhaps, useless, since a storm may disperse the Squadrons, and afford to Ibrahim the facility of conveying his destroying Army to different points of the Morea and the islands.

2ndly. The uniting the Allied Squadrons in Navarino itself, and securing, by this permanent presence, the inaction of the Ottoman Fleets ; but which mode alone leads to no termination, since the Porte persists in not changing its system.

3rdly. The proceeding to take a position with the Squadrons in Navarino, in order to renew to Ibrahim propositions which, entering into the spirit of the Treaty, were evidently to the advantage of the Porte itself.

After having taken these three modes into consideration, We have unanimously agreed, that this third mode may, without effusion of blood and without hostilities, but simply by the imposing presence of the Squadrons, produce a determination leading to the desired object.

We have in consequence adopted it, and set it forth in the present Protocol. 18 Oct. 1827.

EDWARD CODRINGTON, LOUIS COUNT DE HEIDEN, H. DE RIGNY.

88. THE TREATY OF PARIS, 1856

The Treaty of Paris was signed between Great Britain, Austria, France, Prussia, Russia, Sardinia and Turkey, on the 30th of March 1856. *It was not merely a treaty of peace between belligerent Powers, but a European settlement of outstanding problems relating to Turkey. For this reason, when the clauses relating to the neutralization of the Black Sea were denounced by Russia in* 1870, *it was considered necessary to submit the question to a Congress of the Powers held in London* 1871. *For the same reason* (*as is shown in document* 90, *below*), *when Russia concluded the treaty of San Stefano with Turkey in* 1878, *England claimed that this was an alteration in the settlement*

COLLEGE

of 1856, *and declared that it could not be valid without the assent of the Powers who had signed the treaty of* 1856.

SOURCE—*State Papers*, Vol. XLVI, pp. 8–18. Translation in *Ann. Reg.* 1856, pp. 310*–18*.

7. HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, His Majesty the Emperor of the French, His Majesty the King of Prussia, His Majesty the Emperor of All the Russias and His Majesty the King of Sardinia, declare the Sublime Porte admitted to participate in the advantages of the public law and concert of Europe. Their Majesties engage, each on his part, to respect the independence and the territorial integrity of the Ottoman Empire; guarantee in common the strict observance of that engagement; and will, in consequence, consider any act tending to its violation as a question of general interest.

9. His Imperial Majesty the Sultan having, in his constant solicitude for the welfare of his subjects, issued a firman, which, while ameliorating their condition without distinction of religion or of race, records his generous intentions towards the Christian population of his Empire, and wishing to give a further proof of his sentiments in that respect, has resolved to communicate to the Contracting Parties the said firman, emanating spontaneously from his sovereign will. The Contracting Powers recognize the high value of this communication. It is clearly understood that it cannot, in any case, give to the said Powers the right to interfere, either collectively or separately, in the relations of His Majesty the Sultan with his subjects, nor in the internal administration of his empire.

10. The Convention of the 13th July 1841, which maintains the ancient rule of the Ottoman Empire relative to the closing of the Straits of the Bosphorus and of the Dardanelles, has been revised by common consent.

The Act concluded for that purpose, and in conformity with that principle, between the High Contracting Parties, is and remains annexed to the present Treaty, and shall have

the same force and validity as if it formed an integral part thereof.

11. The Black Sea is neutralized; its waters and its ports, thrown open to the mercantile marine of every nation, are formally and in perpetuity interdicted to the flag of war, either of the Powers possessing its coasts or of any other Power. . . .

15. The Act of the Congress of Vienna, having established the principles intended to regulate the navigation of rivers which separate or traverse different states, the Contracting Powers stipulate among themselves that those principles shall in future be equally applied to the Danube and its mouths. They declare that this arrangement henceforth forms a part of the public law of Europe, and take it under their guarantee.

The navigation of the Danube cannot be subjected to any impediment or charge not expressly provided for by the stipulations contained in the following articles. . . .

22. The Principalities of Wallachia and Moldavia shall continue to enjoy under the suzerainty of the Porte, and under the guarantee of the Contracting Powers, the privileges and immunities of which they are in possession. No exclusive protection shall be exercised over them by any of the guaranteeing Powers. There shall be no separate right of interference in their internal affairs.

89. THE ANDRÁSSY NOTE, 1875

In August 1875 *an insurrection of Christians in Herzegovina re-opened the Eastern Question. The Turkish treatment of Christians seemed to demand some action by the Powers, but at the same time the Treaty of Paris had bound the Governments not to interfere in the internal affairs of Turkey. On the* 30*th December* 1875, *the Austro-Hungarian Foreign Minister, Count Andrássy, issued the following note on this question, but though England and France adhered to his policy and the note was presented at Constantinople in the following month, it had no practical result, because the insurgents refused to trust in the promises of the Sultan.*

SOURCE—*State Papers*, Vol. LXVI, pp. 921–31.

SINCE the beginning of the troubles in Herzegovina the European Cabinets interested in general peace have had to fix their eyes upon events that threatened it.

The three Courts of Austria-Hungary, Russia and Germany, after exchanging views on this subject, combined to make a common effort to bring about peace. . . . Unfortunately their hopes were deceived. On the one hand the reforms announced by the Porte do not seem to have had the appeasement of the populations of the insurgent Provinces as their object or to be sufficient to attain this essential result. On the other hand Turkish arms have not succeeded in putting an end to the insurrection.

In these circumstances we believe that the time has come for the Powers to agree upon a common policy in order to prevent the movement from being prolonged until it finishes by compromising the peace of Europe. . . .

I have just shown the points which must be put into application in the insurgent Provinces before we can entertain any well-founded hope of a pacification.

These points are: full and complete religious liberty; the abolition of the farming of taxes; a law to guarantee that the produce of the direct contributions of Bosnia and Herzegovina shall be used in the interest of the Province itself, under the control of bodies constituted in the way set out in the Firman of 12 December.

The institution of a Special Commission composed of Mohammedans and Christians in equal numbers, to see to the execution of the reforms proposed by the Powers, as well as those announced in the Iradé of the 2nd October and the Firman of the 12th December.

Finally the improvement of the agrarian condition of the rural populations.

The first points could and ought to be brought about immediately by the Sublime Porte, the fifth would come gradually but as soon as possible.

If, apart from these conditions which seem to us to be the most essential, Bosnia and Herzegovina could obtain

also the following reforms mentioned in the latest Firman, a provincial council and tribunals freely elected by the inhabitants, the irremovability of judges, secular justice, individual liberty, a guarantee against bad treatment, the reorganization of the police whose conduct has caused so many complaints, the cessation of the abuses that arise from levies of service for works of public utility, a due reduction of the tax for exemption from military service, guarantees of the right of property—if all these reforms, the communication of which we demand from the Porte so that they may be placed on record, are applied to the insurgent Provinces, which, to judge from the text of the Firman, would seem not to enjoy them at present, one might hope to see peace restored in the devastated lands.

To summarize: the indefinite promises of the Iradé of the 2nd October and the Firman of the 12th December could not but raise hopes without satisfying them. On the other hand it is obvious that the Turkish arms have not succeeded in putting an end to the insurrection. Winter has suspended activity, spring will see it revived. . . . The Governments of Serbia and Montenegro which even hitherto have hardly been able to keep out of the movement, will be powerless to resist the current, and even now, under the influence of events and public opinion in their countries, they seem to be familiarizing themselves with the idea of taking part in the struggle when the snows melt. . . . There is another difficulty—and it is the greatest of all—to be surmounted at any price if we wish to be sure of any result however small. This difficulty is the deeply-rooted distrust which any promise on the part of the Porte meets on the side of the Christians. . . . Therefore the Cabinets consider it absolutely essential that the Government of the Sultan should confirm its intentions . . . in an official communication, and at the same time notify the Powers its acceptance of the above-mentioned points which have the pacification of the revolted Provinces as their special object. . . .

If, as I hope, the views of the Government of . . .

harmonize with ours, we would propose, out of regard for the dignity and independence of the Porte, not to offer our advice in a collective note but confine ourselves to requesting our representatives in Constantinople to act in combination and in identical ways in their relations with the Sultan, according to the plan that we have just developed.

90. ENGLAND AND THE TREATY OF SAN STEFANO, 1878

On the 24th April 1877 the spread of the Balkan insurrections and the reprisals of the Ottoman Porte led to the declaration of war on Turkey by Russia. The successes of the Russians were pursued as far as Adrianople, and with Turkey at their mercy they dictated the Treaty of San Stefano, 3rd March 1878. Serbia, Rumania and Montenegro were to receive considerable extension of territory, and were to be recognized as independent states. Bulgaria was to be made into a large state, autonomous though tributary to the Porte, and at the same time under Christian rule. All the Danubian fortresses were to be razed; the Turkish Government was to grant the internal reforms that the Powers had been demanding; and in lieu of the greater part of the money indemnity which it had agreed to pay, it made important cessions of territory. The Powers, particularly England and Austria, objected to the treaty; Lord Beaconsfield said that it put 'all the dominions of the Ottoman Porte under the administration of Russia'. Lord Salisbury, the British Foreign Secretary, issued the following circular in criticism of the treaty on the 1st April 1878.

SOURCE—*State Papers*, Vol. LXIX, pp. 807–14.

. . . ON the 14th of January in view of the reports which had reached Her Majesty's Government as to the negotiations for peace which were about to be opened between the Russian Government and the Porte, and in order to avoid any possible misconception, Her Majesty's Government instructed Lord A. Loftus to state to Prince Gortchakoff that, in the opinion of Her Majesty's Government, any treaty concluded between the Government of Russia and the Porte affecting the treaties of 1856 and 1871 must be an European treaty, and would not be valid without the assent of the Powers who were parties to those treaties.

On January 25, the Russian Government replied by the assurance that they did not intend to settle by themselves (*isolément*) European questions having reference to the peace which is to be made (*se rattachant à la paix*). . . .

On [March] 13th Her Majesty's Government explained further. . . .

'That they must distinctly understand before they can enter into Congress that every article in the treaty between Russia and Turkey will be placed before the Congress, not necessarily for acceptance, but in order that it may be considered what articles require acceptance or concurrence by the several Powers, and what do not.' . . .

How far the stipulations of the treaty of San Stefano would commend themselves as expedient to the judgement of the European Powers it is not at present possible to decide. . . . The most important consequences to which the treaty practically leads are those which result from its action, as a whole, upon the nations of South-Eastern Europe. By the articles erecting the new Bulgaria, a strong Slav state will be created under the auspices and control of Russia, possessing important harbours upon the shores of the Black Sea and the Archipelago, and conferring upon that Power a preponderating influence over both political and commercial relations in those seas. It will be so constituted as to merge in the dominant Slav majority a considerable mass of population which is Greek in race and sympathy, and which views with alarm the prospect of absorption in a community alien to it not only in nationality but in political tendency and in religious allegiance. The provisions by which this new state is to be subjected to a ruler whom Russia will practically choose, its administration framed by a Russian Commissary, and the first working of its institution commenced under the control of a Russian army, sufficiently indicate the political system of which in future it is to form a part.

Stipulations are added which will extend this influence even beyond the boundaries of the new Bulgaria. The provision, in itself highly commendable, of improved in-

stitutions for the populations of Thessaly and Epirus, is accompanied by a condition that the law by which they are to be secured shall be framed under the supervision of the Russian Government. It is followed by engagements for the protection of members of the Russian Church, which are certainly not more limited in their scope than those articles of the treaty of Kainardji upon which the claims were founded which were abrogated in 1856. Such stipulations cannot be viewed with satisfaction either by the Government of Greece, or by the Powers to whom all parts of the Ottoman Empire are a matter of common interest. The general effect of this portion of the treaty will be to increase the power of the Russian Empire in the countries and on the shores where a Greek population dominates, not only to the prejudice of that nation, but also of every country having interests in the east of the Mediterranean Sea. . . .

By the other portions of the treaty analogous results are arrived at upon other frontiers of the Ottoman Empire. The compulsory alienation of Bessarabia from Rumania, the extension of Bulgaria to the shores of the Black Sea, which are principally inhabited by Mussulmans and Greeks, and the acquisition of the important harbour of Batum, will make the will of the Russian Government dominant over all the vicinity of the Black Sea. The acquisition of the strongholds of Armenia will place the population of that province under the immediate influence of the Power which holds them; while the extensive European trade which now passes from Trebizond to Persia will, in consequence of the cessions in Kurdistan, be liable to be arrested at the pleasure of the Russian Government by the prohibitory barriers of their commercial system. . . .

Objections may be urged individually against these various stipulations. . . . But their separate and individual operation, whether defensible or not, is not that which should engage the most earnest attention of the signatory Powers. Their combined effect, in addition to the results upon the Greek population and upon the balance

of maritime power which have been already pointed out, is to depress, almost to the point of entire subjection, the political independence of the Government of Constantinople. The formal jurisdiction of that Government extends over geographical positions which must, under all circumstances, be of the deepest interest to Great Britain. It is in the power of the Ottoman Government to close or to open the Straits which form the natural highway of nations between the Ægean Sea and the Euxine. Its dominion is recognized at the head of the Persian Gulf, on the shores of the Levant, and in the immediate neighbourhood of the Suez Canal. It cannot be otherwise than a matter of extreme solicitude to this country that the Government to which this jurisdiction belongs should be so closely pressed by the political outposts of a greatly superior Power that its independent action, and even existence, is almost impossible. These results arise, not so much from the language of any single article in the treaty as from the operation of the instrument as a whole. A discussion limited to articles selected by one Power in the Congress would be an illusory remedy for the dangers to English interests and to the permanent peace of Europe, which would result from the state of things which the treaty proposes to establish.

91. THE TREATY OF BERLIN, 1878

SOURCE—*State Papers*, Vol. LXIX, pp. 749–68.

I. BULGARIA is constituted into an autonomous and tributary Principality under the suzerainty of His Imperial Majesty the Sultan; it will have a Christian Government and a national militia.

II. [Defines its extent.]

III. The Prince of Bulgaria shall be freely elected by the population and confirmed by the Sublime Porte, with the assent of the Powers. No member of the Reigning Dynasties of the Great European Powers may be elected Prince of Bulgaria. . . .

IV. A Bulgarian Assembly of Notables, convoked at

Tirnovo, shall draw up the Organic Law of the Principality before the Prince is elected.

In the districts where Bulgarians are intermixed with Turkish, Rumanian, Greek, or other populations, the rights and interests of these populations shall be taken into consideration as regards the elections and the drawing up of the Organic Law.

V. The following arrangements shall form the basis of the public law of Bulgaria:

The difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship are assured to all persons belonging to Bulgaria, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organization of the different communions, or to their relations with their spiritual chiefs.

VI. The provisional administration of Bulgaria shall be under the direction of an Imperial Russian Commissary until the completion of the Organic Law. An Imperial Turkish Commissary, as well as the Consuls delegated *ad hoc* by the other Powers, which have signed the present Treaty, shall be called to assist him so as to control the working of this provisional *régime*. . . .

VII. The provisional *régime* shall not be prolonged beyond a period of nine months from the exchange of the ratifications of the present Treaty. . . .

VIII. [No alteration takes place in existing Treaties, immunities, etc.]

IX. The amount of the annual tribute which the Principality of Bulgaria shall pay to the Suzerain Court . . . shall be fixed by an agreement between the Powers who have signed the present Treaty. . . . This tribute shall be calculated on the mean revenue of the territory of the Principality. . . .

XI. The Ottoman army shall no longer remain in Bulgaria. . . .

XIII. A province is formed south of the Balkans which will take the name of 'Eastern Rumelia', and will remain under the direct political and military authority of His Majesty the Sultan, under conditions of administrative autonomy. It shall have a Christian Governor-General.

XXV. The Provinces of Bosnia and Herzegovina shall be occupied and administered by Austria-Hungary. . . .

XXVI. The independence of Montenegro is recognized by the Sublime Porte and by all those of the High Contracting Parties who had not admitted it before.

XXVII. [As Article V, applied to Montenegro.]

XXXIV. The High Contracting Parties recognize the independence of Serbia, subject to the conditions set forth in the following Article.

XXXV. [As Article V, applied to Serbia.]

XLIII. The High Contracting Parties recognize the independence of Rumania, subject to the conditions set forth in the two following Articles.

XLIV. [As Article V, applied to Rumania.]

LVIII. The Sublime Porte cedes to the Russian Empire in Asia the territories of Ardahan, Kars, and Batum, etc.

LXI. The Sublime Porte undertakes to carry out, without further delay, the improvements and reforms demanded by local requirements in the provinces inhabited by the Armenians, and to guarantee their security against the Circassians and Kurds.

It will periodically inform the Powers of the measures taken to this effect and the Powers will superintend the execution of these.

LXII. [Applying the principle of religious liberty to the whole Ottoman Empire.]

XVI

THE GREAT WAR

92. THE TRIPLE ALLIANCE, 1882

On the 7th of October 1879, *Bismarck, who was afraid of Russia, concluded an alliance with Austria. In* 1882 *Italy, having been humiliated by the French occupation of Tunis, asked for the alliance of Germany and Austria. The resulting negotiations issued in the following treaty, which was concluded on the* 20th *of May* 1882. *Austria refused to bind herself to assist Germany in the event of a French attack, unless France were assisted by Russia. Hence the form of Articles II and III which bound Italy and Germany to help one another, and bound Austria to give assistance to Italy, but did not commit the Austrian Government to the support of Germany unless Germany were attacked by more than one Power. The treaty was defensive in character, and on* 22nd *May the three contracting parties made declarations to the effect that the provisions of the treaty could not be regarded as being directed against England.*

SOURCE—Pribram, Vol. I, pp. 24–6.

ART. I. The high contracting parties promise one another peace and friendship and they will not enter into any alliance or commitment directed against any one of their states.

They promise to proceed to an exchange of ideas on political and economic questions of a general nature which may arise, and they further promise to support one another within the sphere of their own interests.

II. In the event of Italy being attacked for any reason whatever by France, when she has given no direct provocation, the two other contracting parties shall be obliged to bring help and assistance with all their forces to the party attacked.

استعلاك

This same obligation shall apply to Italy in the case of an aggression by France against Germany, when no direct provocation has been given.

III. If one or two of the high contracting parties should happen to be attacked, without direct provocation on their part, and should find themselves engaged in a war with two or more of the Great Powers which have not signed the present treaty, the *casus foederis* shall be held to have arisen for all the high contracting parties simultaneously.

IV. In the event of a Great Power nonsignatory of the present treaty menacing the safety of the states of one of the high contracting parties, and the threatened party finding itself on that account obliged to make war against that Power, the two others bind themselves to maintain a benevolent neutrality in respect to their ally. Each of them reserves the right to take part in the war in this case, if he sees fit to make common cause with his ally.

V. If there should arise any menace to the peace of one of the contracting parties, in the circumstances provided for in the previous articles, the high contracting parties will confer with one another in good time on the subject of the military measures that are required for the purpose of their eventual co-operation.

They promise that from now onwards, in all cases when they are participating in war together, they will conclude neither armistice, nor peace, nor treaty, save by mutual agreement.

VI. The high contracting parties make a mutual vow of secrecy concerning the contents and the existence of the present treaty.

VII. The present treaty shall remain in force for the period of five years dating from the day of the exchange of the ratifications.

93. THE *ENTENTE CORDIALE*

In April 1904 *England and France made the famous Convention concerning Egypt and Morocco, which not only settled many difficulties between them, chiefly relating to their interests in North Africa,*

but opened a period of growing intimacy and friendship. In the following years a series of important military and naval 'conversations' took place between the two Powers, enabling the English and French naval and military staffs to work out plans of joint action for the eventuality of war. It is possible that Sir Edward Grey did not realize the implications of these discussions, which had the effect of allowing the French to count on British co-operation and to make their plans accordingly; and he seems to have placed England under a moral obligation to France, while still maintaining the view that, on paper at any rate, his hands were free. In 1912 *Sir Edward Grey, while still refusing to make any formal diplomatic commitment, wrote the following letter to M. Paul Cambon, the French ambassador in London, receiving a similar declaration in return* (22 *and* 23 *November*).

SOURCE—Grey, Vol. I, pp. 97–8.

MY DEAR AMBASSADOR,

From time to time in recent years the French and British naval and military experts have consulted together. It has always been understood that such consultation does not restrict the freedom of either Government to decide at any future time whether or not to assist the other by armed force. We have agreed that consultation between experts is not, and ought not to be, regarded as an engagement that commits either Government to action in a contingency that has not arisen and may never arise. The disposition, for instance, of the French and British fleets respectively at the present moment is not based upon an engagement to co-operate in war.

You have, however, pointed out that if either Government had grave reason to expect an unprovoked attack by a third Power it might become essential to know whether it could, in that event, depend upon the armed assistance of the other.

I agree that, if either Government had grave reason to expect an unprovoked attack by a third Power, or something that threatened the general peace, it should immediately discuss with the other whether both Governments should act together to prevent aggression and to preserve peace, and, if so, what measures they would be prepared to take in common. If these measures involved action, the plans of the general staffs would at once be taken into

consideration, and the Governments would then decide what effect should be given to them. Yours, etc.,

E. GREY.

94. THE AUSTRIAN ULTIMATUM TO SERBIA, 1914

On the 28th June 1914 the Archduke Franz Ferdinand, the heir to the thrones of Austria and Hungary, together with his consort, was assassinated by Bosnian revolutionaries who belonged to a Serbian terrorist organization called the 'Black Hand'. The outrage confirmed a feeling which already existed in various circles in Vienna, that the Habsburg monarchy was being gravely menaced by the situation in the Balkans, and that strong measures ought to be taken against Serbia. Having made sure of the support of Germany the Austro-Hungarian Foreign Office, after a long delay, sent the following ultimatum to Serbia, on the 23rd July, allowing only 48 hours for a reply. The Serbs declared themselves ready to comply with the majority of the demands, but made reservations with regard to certain points, e.g. the participation of the Austro-Hungarian representatives in the judicial inquiry to be held on Serbian territory, and the dismissal of officers and officials. On the 28th July Austria-Hungary declared war on Serbia, and the immediate intervention of Russia brought the other Great Powers into the war.

SOURCE—Translation from the French original in *Dipl. Doc.*, pp. 6–8.

. . . THE Royal Serbian Government shall publish on the front page of their 'Official Journal' of the 13/26 July the following declaration :—

'The Royal Government of Serbia condemn the propaganda that is being directed against Austria-Hungary,—that is to say, condemn that group of tendencies which aim ultimately at the separation from the Austro-Hungarian monarchy of territories belonging to it. Also they sincerely deplore the fatal consequences of these criminal proceedings.

'The Royal Government regret that Serbian officers and functionaries have participated in the above-mentioned propaganda and have thus compromised the relations of good neighbourliness to which the Royal Government were solemnly pledged by their declaration of the 31st March, 1909.

'The Royal Government disapprove of all idea of interfering or attempting to interfere with the destinies of the

inhabitants of any part of Austria-Hungary, and they repudiate any such idea. They therefore consider it their duty formally to warn officers and functionaries and the whole population of the kingdom, that henceforward they will proceed with the utmost rigour against persons who shall be guilty of such machinations. And these machinations they will use all their efforts to anticipate and suppress.'

This declaration shall be communicated to the Royal Army at the same time, as an order of the day, by H.M. the King and shall be published in the *Official Bulletin* of the Army.

The Royal Serbian Government shall further undertake:

1. To suppress any publication which incites to hatred and contempt of the [Austro-Hungarian] Monarchy and in its general bearing is directed against the territorial integrity of that monarchy;

2. To dissolve immediately the society called 'Narodna Odbrana', to confiscate all its means of propaganda, and to proceed in the same manner against the other societies and their branches in Serbia which devote themselves to propaganda against the Austro-Hungarian Monarchy. The Royal Government shall take the necessary measures to prevent the societies from continuing their activity under another name and form after they have been dissolved;

3. To eliminate without delay from public instruction in Serbia, both as regards the teaching body and also as regards the methods of instruction, everything which serves or might serve to foment the propaganda against Austria-Hungary;

4. To remove from the military service and from the administration in general, all officers and functionaries guilty of propaganda against the Austro-Hungarian Monarchy, whose names and deeds the Austro-Hungarian Government reserve to themselves the right of communicating to the Royal Government;

5. To accept the collaboration in Serbia of representatives of the Austro-Hungarian Government for the purpose of

suppressing the subversive movement directed against the territorial integrity of the Monarchy ;

6. To take judicial proceedings against those of the accessories to the plot of the 28th June who are within Serbian territory ;

Delegates of the Imperial and Royal Government will take part in the investigation relating thereto ;

7. To proceed without delay to the arrest of Major Voija Tankosić and of the individual named Milan Čiganović, a Serbian state employé, who have been compromised by the findings of the inquiry at Sarajevo ;

8. To prevent by effective measures the co-operation of the Serbian authorities in the illicit traffic in arms and explosives across the frontier ;

To dismiss and severely punish the officials of the frontier service at Schabatz and Ložnica guilty of having assisted the perpetrators of the Sarajevo crime by facilitating their passage across the frontier.

9. To give explanations to the Imperial and Royal Government with regard to the unjustifiable utterances of high Serbian officials both in Serbia and abroad, who, notwithstanding their official position, have not hesitated in interviews since the crime of the 28th June to express themselves in a manner hostile to the Austro-Hungarian Monarchy ; finally,

10. To notify the Imperial and Royal Government without delay of the execution of the measures comprised under the preceding heads.

The Austro-Hungarian Government expect the reply of the Royal Government by 6 p.m. on Saturday the 25th July at latest. . . .

95. PRESIDENT WILSON'S FOURTEEN POINTS

President Wilson's Fourteen Points were put forward in his address to Congress on the 8th Jan. 1918, *and were regarded by him as being 'a provisional sketch' of the principles America would seek to apply in negotiations for peace. During the course of the same year the Presi-*

dent made a series of important speeches in which he further developed his views on the principles that were to govern the re-establishment of peace. On the 4th October 1918 *Germany offered to accept the programme which had been put forward in these speeches, and the Allies of America agreed to this basis provided the 'restoration' of territories invaded by Germany should be understood to include 'compensation for all damage done to the civilian population of the Allies and their property by the aggression of Germany', reserving also their freedom on the subject of Article II on the ground that it was 'open to various interpretations, some of which they could not accept'.*

SOURCE—Temperley, Vol. I, pp. 433–5.

I. OPEN Covenants of peace openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

II. Absolute freedom of navigation upon the seas outside territorial waters alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

III. The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the Government whose title is to be determined.

VI. The evacuation of all Russian territory, and such a settlement of all questions affecting Russia as will secure the best and freest co-operation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy, and assure her of a sincere welcome into the society of free nations under

institutions of her own choosing, and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

VII. Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of International Law is forever impaired.

VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly 50 years, should be righted, in order that peace may once more be made secure in the interests of all.

IX. A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.

X. The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

XI. Rumania, Serbia, and Montenegro should be evacuated, occupied territories restored, Serbia accorded free and secure access to the sea, and the relations of the several Balkan States to one another determined by friendly counsel along historically established lines of allegiance and nationality, and international guarantees of the political and economic independence and territorial integrity of the several Balkan States should be entered into.

XII. The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nation-

alities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.

XIII. An independent Polish State should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

XIV. A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike.

96. THE COVENANT OF THE LEAGUE OF NATIONS, 1919.

Treaty of Versailles, 28 June 1919.

SOURCE—Temperley, Vol. III, pp. 111–23.

THE HIGH CONTRACTING PARTIES,

IN order to promote international co-operation and to achieve international peace and security

by the acceptance of obligations not to resort to war,

by the prescription of open, just and honourable relations between nations,

by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and

by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another,

Agree to this Covenant of the League of Nations. . . .

Art. 2. The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat. . . .

Art. 8. The Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to warlike purposes.

Art. 11. Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary-General shall on the request of any Member of the League forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting inter-

national relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

Art. 12. The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council. . . .

Art. 14. The Council shall formulate and submit to Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

Art. 16. Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one

another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

Art. 18. Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

Art. 22. To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their

existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilization, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

Art. 23. Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League :

(*a*) will endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organizations ;

(*b*) undertake to secure just treatment of the native inhabitants of territories under their control ;

(*c*) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs ;

(*d*) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest ;

(*e*) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connexion, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind ;

(*f*) will endeavour to take steps in matters of international concern for the prevention and control of disease.

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